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Education Reform as Moral Disengagement: the Racist Subtext of the State Takeover of Little Rock School District

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EDUCATION REFORM AS MORAL DISENGAGEMENT: THE RACIST SUBTEXT
OF THE STATE TAKEOVER OF LITTLE ROCK SCHOOL DISTRICT

A Dissertation

Presented to

The Faculty of the School of Education
The College of William & Mary in Virginia

In Partial Fulfillment

Of the Requirements for the Degree

Doctor of Philosophy

by R. Davis Clement, II

August 2018

EDUCATION REFORM AS MORAL DISENGAGEMENT: THE RACIST SUBTEXT
OF THE STATE TAKEOVER OF LITTLE ROCK SCHOOL DISTRICT

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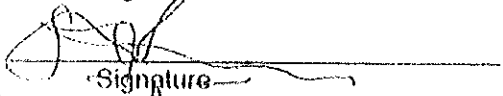
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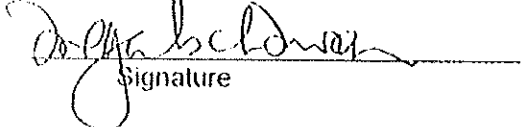
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DEDICATION

This dissertation is dedicated to Sherri Burks, principal at Little Rock Preparatory Academy from 2011 to 2012—a master teacher and true servant leader who helped me unlearn a lot of bad lessons and taught me to just trust the students.

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ABSTRACT

Public support for market-based education reforms persists despite evidence that these reforms exacerbate the educational marginalization of Black and Brown students. Even among Democrats and ostensibly equity-minded policy actors, support for reforms like charter schools is widespread. How do people come to support racially stratifying policies despite their supposed commitment to ethic of social justice? The purpose of this study was to investigate the relationship between the theories of unconscious racism (Lawrence, 1995a) and moral disengagement (Bandura, 1999) in the state takeover of a majority Black school district by a majority white state government. Methods included a critical race analysis of *Doe v. Arkansas Department of Education* (2016) and a critical discourse study of the state takeover speech of elite white policy actors. Findings included two parallel appeals: to the legal precedent on which Lawrence based the theory of unconscious racism, from the court in *Doe v. DOE*; and to the mechanisms of moral disengagement, from white policy actors justifying the takeover. It is therefore plausible that public support for racist education policies is a result of morally disengaging policy rhetoric, and that these policies are protected by strict legal obstacles to discrimination claims. Recommendations include increased political involvement on the part of school leaders, including principals; further critical policy studies of pre-adoption policy discourse and policy outcomes; and deeper interdisciplinary investigation of the moral disengagement of individual policy actors and citizens in an education policy arena.

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LITTLE ROCK SCHOOL DISTRICT

CHAPTER ONE

Introduction

Contemporary education reform, referred to *ad nauseum* as “the greatest civil rights challenge of our time” by at least the past four American presidents (Paige & Witty, 2010), has not only failed to produce the great equalizing education system that Horace Mann envisioned, it has increased social inequality and entrenched a market ideology in which those inequalities are seen as natural and acceptable (Dumas, 2013; Payne & Knowles, 2009; Rector-Aranda, 2016). Its biggest failures are well-known: school integration has been reversed (K. Brown, 2005; Diem & Brooks, 2013); No Child Left Behind increased the numbers of children left behind (Hursh, 2007); and privately-run charter schools are draining funds from public school districts, despite showing little to no benefit to student achievement (Buras, 2011; Payne & Knowles, 2009; Winters, 2012). When policies are known to have racially stratifying effects, policy actors may define the issues in ways that absolve them and the public from culpability for those effects (Adamson & Darling-Hammond, 2012; Bohrnstedt, Kitmitto, Ogut, Sherman, & Chan, 2015; Gillborn, 2013a). These conceptualizations come to comprise the landscape of reform as policy actors set agendas based on public consent to “commonsense” reforms (Au & Apple, 2009; Gramsci, 1971). Theories of discourse, policy, and race suggest an underlying structure to these contradictions of education reform.

Discourse theory suggests that values and beliefs are developed through communication and social interaction, and these values and beliefs may benefit some groups and marginalize others (van Dijk, 2006b). Policies, which are constructed and communicated through discourse, codify power relations between groups and establish the limits of agency and restraint in society (Ball, 1994). Race itself is a “product of social thought and relations” (Delgado & Stefancic, 2012, p. 8) constructed to serve the interests of those in power; two such examples of social relations are discourse and policy. The interrelated nature of race, discourse, and policy makes possible a study of the formation of education reform policy that accounts for the role of ideology in constructing race and difference. With these theoretical assertions in mind, I investigated the language of elite white policy actors in Little Rock, Arkansas—a school district with a well-known history of racist policy and race-based marginalization (Kirk, 2005; Shukur & Walker, 2017)—for ways in which their discourse around the 2015 state takeover of the school district concealed the dissonance between social justice-minded education reforms and racially stratified educational outcomes.

Background: The Long Shadow of Central High

In studies of race and policy, the context is broader than the immediate circumstance (Buras, 2013), meaning that whatever the specific policy question at hand—in the current case, state takeover—there are larger social relations and power implications at play. Conflict between local and statewide racial attitudes has influenced the landscape of education policy and reform in Little Rock for decades. In the fall of 1957, Little Rock School Superintendent Virgil Blossom was preparing to implement the district plan for token integration (i.e., minimal compliance) of Little Rock schools (Kirk,

2005), in accordance with the *Brown* rulings, with approval from the Little Rock school board and the Little Rock political establishment, including the local chapter of the NAACP (Baer, 2008; Jacoway, 2007). As a self-contained policy arena, the politically moderate city of Little Rock was reluctantly pro-integration; national NAACP attorneys considered Little Rock to be a favorable testing ground for desegregation of Southern schools because of its mild racial climate relative to other Southern cities (Kirk, 2005). Little Rock's White Citizen's Council was disproportionately small compared to other similarly-sized Southern cities, and Little Rock voters had recently elected two integrationists to the school board just months prior (Baer, 2008). But the surrounding state of Arkansas was not so moderate (K. Anderson, 2010; Wilkinson, 1979). Many north Arkansas towns with very few Black¹ citizens had already fully integrated in response to *Brown*, but south Arkansas towns with larger or even majority Black populations remained fully segregated (Kirk, 2005).

When Governor Orval Faubus ordered the Arkansas National Guard to block the integration of Central High School, the mayor of Little Rock said Faubus was stoking controversy to "create tensions where none existed" (Baer, 2008, p. 137) in an effort to boost his reelection chances with voters outside the more liberal-leaning capital city. In

¹ I have kept with the convention of capitalizing *Black* and not *white* for ethical reasons, which I think are best explained by the following note from Toure's *Who's Afraid of Post-Blackness?*

"I have chosen to capitalize the word 'Black' and lowercase 'white' throughout this book. I believe 'Black' constitutes a group, an ethnicity equivalent to African-American, Negro, or, in terms of a sense of ethnic cohesion, Irish, Polish, or Chinese. I don't believe that whiteness merits the same treatment. Most American whites think of themselves as Italian-American or Jewish or otherwise relating to other past connections that Blacks cannot make because of the familial and national disruptions of slavery. So to me, because Black speaks to an unknown familial/national past it deserves capitalization." (p. vii)

I have used the same rule for *Brown* because I believe it also applies to other minoritized communities (e.g., Latin, Asian, Middle Eastern, Native American) in the U.S.

the months that followed, white opponents of integration exerted near complete control over state and local politics for the next two years (Klarman, 2004). Moderates' reluctant support for integration crystallized into vehement defense of the segregated status quo. Segregationists replaced the integrationists in the state General Assembly, on the Little Rock city board, and on the Little Rock school board (K. Anderson, 2010; Baer, 2008; Kirk, 2005). Passive support for Virgil Blossom's strategy of minimum compliance was abandoned in favor of outright defiance of the court, and a historic educational crisis was initiated.

This is not a revisionist attempt at suggesting the Little Rock Central High crisis of 1957 would never have happened if the will of the people of Little Rock had not been overruled by the governor. That kind of traditional narrative has been used by white liberals for years to either (a) shift blame from the white citizens of Little Rock to the reactionary, demagogic policy elites (Lewis, 2008), or (b) chalk up the crisis to the compounding failures of ineffective, but well-meaning, leaders (Kirk, 2005). Rather, this is an illustration of the potential for political discourse to manufacture consent and opposition by shifting narratives and redefining the issues. The *Brown* decision defined integration as numeric balance and racial proportionality of student populations in service of equality, but Faubus transformed integration into an issue of states' rights and (paradoxically) local control, both of which were initiating dog whistles for the massive resistance to desegregation that would outlast the Central High crisis throughout the Deep South (Kirk, 2005; Webb, 2005). Notwithstanding Faubus's appeals to local (as opposed to federal) control, the 1957 Central High Crisis was also a case of the imposition of statewide conservative political will on local democratic governance of the school

district. Forty years later, the introduction of state-approved charter schools in Little Rock to compete with district schools, against the wishes of the school board and superintendent, represented another case of voters outside Little Rock making policy for Little Rock schools. Because of the growing Black majority in Little Rock, these incursions precipitated increasingly strained race relations between the district and the state board of education.

By 2015, the school-age population of the Little Rock School District (LRSD) was 54.3% Black (NCES, 2017, but the population of students who attended district schools was 66.6% Black (LRSD, 2015). Despite having a white population in the district of 24% , and a white student population of less than 19% (Jordan, 2017), the school board had been majority white up until 2006 (LRSD has first Black majority, 2006). On January 28, 2015, the majority white Arkansas Board of Education approved by a 4-3 vote to dissolve the majority-Black Little Rock School Board and take over control of the Little Rock School District, shifting governance of the district to newly-appointed Education Commissioner Johnny Key (Brantley, 2016b), who would serve as the singular new (white) district board. The state board cited the continued failure of six schools (out of 48 total in the district) to achieve accreditation by No Child Left Behind (NCLB) standards. Less than a decade after achieving a Black majority, the board was dissolved by a majority white state board of education, with the white state education commissioner installed as its singular new board, and a newly appointed white superintendent as its executive.

Problem: The Paradox of Reform

The history of Little Rock is important to its current racial climate (Bonilla-Silva, 2014; Buras, 2013), and that historical context is an important element of discourse study; but reform discourse is very much a tool of the present and should be investigated and interrogated as an assertion of contemporary racial ideology, not past policy shortcomings. Continued racial disparities in educational outcomes are not inherited relics of a previous age, and viewing them as such leaves no one with the imperative to resolve them (Leonardo, 2013). Current inequalities must be connected to current acts, because social justice will only come from contemporary action. Dissolving the democratically-elected and majority Black school board is overtly antidemocratic; but convincing the general public to support that dissolution requires persuasive feats of social-psychological finesse. The case of state takeover in Little Rock is important to study because of the audacity of these initial actions and the banality of the market reforms that policymakers attempted to implement under state control.

Education reforms have frequently been explicitly presented as urgent moral imperatives by policy actors at the highest levels (Gillborn, 2001; Hernández, 2016; Mulderrig, 2003; Stovall, 2013; Windle & Stratton, 2013). But most reforms, both nationally and locally, have not enabled strides toward social justice and educational equity. To the contrary, they have perpetuated, and in most instances *intensified*, racial inequality in schools (Adamson & Darling-Hammond, 2012; Buras, 2011; Connell, 2013; Crocco & Costigan, 2007; Gillborn, 2008, 2017; Hursh, 2005, 2007). Education in Little Rock is increasingly stratified by race. Achievement gaps between Black students and white students on statewide annual assessments have nearly doubled in the past five years

(see Table 1). The implementation dips, or expected drops in performance in the year after the beginning of a new test, have disproportionately affected Black students. The state withdrew from the Partnership for Assessment of Readiness for College and Careers (PARCC) after one year of implementation in 2014, switching to the ACT Aspire in 2015, which meant implementation dips in two consecutive years. Performance decreases were much more dramatic for Black students than for white students. In the middle of this switch, when achievement differences between Black and white students were heightened, the state used poor achievement to rationalize dissolution of the school board and takeover of the district (Brantley, 2016b).

Table 1

Percent of LRSD Students Scoring Proficient or Advanced on State Assessment, by Race

	Grade 3				Grade 8			
	Math		Literacy		Math		Literacy	
	<i>Black</i>	<i>White</i>	<i>Black</i>	<i>White</i>	<i>Black</i>	<i>White</i>	<i>Black</i>	<i>White</i>
<i>2013</i>	68.13	95.23	62.85	92.04	33.36	80.22	59.80	86.94
<i>2014</i>	69.00	95.30	58.10	90.07	37.72	83.40	58.60	90.50
<i>2015</i>	16.84	62.29	24.57	69.36	6.70	28.86	23.73	69.51
<i>2016</i>	37.74	81.38	22.38	69.33	16.07	61.50	33.33	72.36

Note. Adapted from Little Rock School District Report Card by Arkansas Department of Education, 2016e, *Little Rock School District: District report card 2015-2016*. Retrieved from <https://adesrc.arkansas.gov/ReportCard/View?lea=6001000&schoolYear=2016>)

Schools in Little Rock have re-segregated as a result of two policy directions—the expansion of charter school enrollment and the construction of new district schools in white neighborhoods. Charter school attendance in Little Rock does not proportionally reflect the racial distribution of the district (see Table 2). Schools where Black students are overrepresented underperform relative to the district (in terms of schoolwide means), and schools where white students are overrepresented either mirror or exaggerate district disparities between white and Black student achievement (Brantley, 2016a). Interestingly, Black students in predominantly Black charter schools that have been in existence for

more than five years outperform, on average, Black students in the district and the state (Arkansas Department of Education, 2016a, 2016b, 2016c, 2016d). Yet charter schools with disproportionately high *white* student enrollment are awarded additional seats, paralleling another disturbing trend—the construction of new schools in predominantly white and affluent sections of the district instead of in predominantly Black, Brown, and poor sections, where most students are and where existing school buildings are crumbling and in need of replacement (Shukur & Walker, 2017). Only 30% of the school-age population of Little Rock, and less than 19% of students enrolled in LRSD, are white (Arkansas Department of Education, 2016e; United States Census Bureau, 2017), yet policies are designed to increase white enrollment instead of improving dilapidated conditions for Black students already enrolled. These policies—charter authorization and enrollment increases to majority white charters, and construction of new schools to entice

Table 2

Student Demographics of LRSD Compared to Little Rock Charter Schools

	<i>LRSD</i>	<i>AP</i>	<i>Quest MS</i>	<i>eStem</i>	<i>LISA</i>	<i>CK</i>	<i>Premier HS</i>	<i>CCL Acad.</i>	<i>LR Prep. Acad.</i>
<i>Race</i>									
Black	65.1%	14.4%	19.5%	45.0%	36.9%	57.3%	84.5%	91.9%	88.6%
White	17.5	74.2	63.2	42.8	32.1	0.6	12.1	1.7	0.7
<i>Low SES</i>	74.9	21.0	11.0	31.6	40.9	98.0	63.0	76.0	100%

Note. Percentages based on 2015-2016 enrollment as reported in the *Arkansas Times* by Brantley, M., 2016a, March 10, Charter schools v. Little Rock School District by the numbers. *Arkansas Times*, and by Arkansas Department of Education, 2016a, *Covenant Keepers Charter: School report card 2015-2016*; and Arkansas Department of Education, 2016e, *Little Rock School District: District report card 2015-2016*; LRSD = Little Rock School District; SES = socioeconomic status, as determined by eligibility for free/reduced-price lunch; AP = Academics Plus charter school; MS = Middle School; CK = Covenant Keepers charter school; HS = High School; CCL = Capital City Lighthouse.

white families into the district—are current actions, not inherited conditions.

Contemporary individual and collective agents, therefore, are to blame for these

inequalities. But who are those agents?

By pursuing state takeover of a district, state leaders seem to suggest district administrators are to blame. Mayoral control and state takeover are two common district-level reform strategies in which the problem is defined as poor local governance, and in which imposed governance of a district is the conduit for reforms that were democratically unpopular when the district was self-governed. In cases of mayoral control, city voters and school district voters are the same (Wong & Shen, 2003), but in cases of state control, there is greater potential for incongruence between the political values of the school district voters and those of the statewide electorate. State takeovers are anti-democratic when the voters of a city district have a different, even oppositional, political culture from voters in the state at large (May, 2016; Rogers & Pole, 2010). In cities like Memphis, New Orleans, and Little Rock, state takeover of the schools equates to red state control of blue city citizens. More significantly, differences in the racial composition of city and state electorates can mean disfranchisement of majority-Black school district voters (Morel, 2016; Oluwole & Green, 2009).

Typically, the first changes made in a district takeover are school closures and charter-ization (R. L. Green & Carl, 2000; Rogers, 2012), and so it has been in Little Rock. For example, the first takeover superintendent, Baker Kurrus, contracted with Teach For America and proposed the closure of schools (all in predominantly Black or Latino neighborhoods), and approved the construction of a new school in predominantly white West Little Rock; and the state board has approved charter school enrollment expansion by 5,000 students (Brantley, 2016b; Hardy, 2017). Even Kurrus, the new white, state-appointed superintendent, advocated against the expansion and addition of more charters in the city. Authorization of new and expanding charter networks is a

power of the state board of education, not the school district, but most of these policies would not have been possible with the democratically-elected school board in control. Without the school board, however, they have become law. This disfranchisement of local Black voters via control by the statewide electoral majority mirrors other similar efforts in cities and districts, and its persistent appeal to policymakers warrants investigation.

Purpose

The reforms in Little Rock are not unique to Little Rock, nor are they especially baffling examples of asserted educational values (i.e., equality, equity, integration) conflicting with actual educational outcomes (i.e., disparity, dominance, segregation). The case of Little Rock is important to me personally, because I am from Little Rock. I taught there, in a little charter school across the street from Central High School. The year I began this study was the sixtieth anniversary of the Central High crisis, so there was a flurry of programming and celebration of “progress” in race relations in the city. So Little Rock has personal significance for me, and there is interesting historical congruence between the 1957 and 2015 incursions of state political will into local school governance. But the people of Little Rock are typical, and the leaders in Little Rock are typical, and the reforms in Little Rock are typical, and the race issues in Little Rock are typical. That is why Little Rock is where I have situated this study: its typicality. I undertake a deeper discussion of my positionality as a white researcher in Chapter 3.

It is possible to construe persistent inequality in education or the “gaps” in achievement between Black students and white students as a large-scale manifestation of white privilege. This white privilege thesis allows individuals to acknowledge that “the

system” marginalizes Black people while avoiding personal culpability for that marginalization. The passive language of privilege protects white people from blame for the effects of racism, instead shifting blame to racist whites from the past or to deplorable whites in the present (Leonardo, 2016). Even the term *institutional racism* separates the violence of racist acts from any particular person or group, essentially excusing present actors from accountability for the continued potency of structures and behaviors that maintain white supremacy (Leonardo, 2016). The purpose of this study was to propose and describe a framework through which institutionalized racism could be understood as the effect of individuals’ actions justified through policy discourse.

Any time people communicate, they build social structures—relationships between each other, representations of themselves, and narratives through which groups make meaning of their context (Gee, 2014). As a social process through which these social structures (i.e., relationships, representations, and narratives) are built, discourse is a social action that transmits social norms, values, and expectations between individuals and among groups (N. Fairclough, 2010, 2015; van Dijk, 2008). In these social exchanges, the norms and values of some groups and individuals are favored, while the norms and values of others are marginalized (Gee, 2014; van Dijk, 2008). These are usually implicit actions, accomplished with specific terminology, rhetorical cues, and linguistic devices that appeal to the biases and attitudes of a person or group. Values like social justice and antiracism can be communicated through such exchanges. So can support for or opposition to education reform initiatives and policies.

It may be intuitive to conceive of policy as a struggle for power, since policy is frequently played out in an openly competitive political arena. But policy, like discourse,

has different meanings. Policy can be understood as both text and as discourse. Policy as text is fixed in a specific historical context, and may bear little resemblance to reality (Ball, 1994; Diem & Young, 2015; Taylor, 1997). After a policy text is produced, it is interpreted and implemented by many different local actors in diverse contexts, and the material realities it initiates are just as diverse (Ball, 1994). So studying the text of a policy may not yield an accurate description of the social structures (i.e., relationships, representations, and narratives) that resulted from a policy. Policy as discourse, however, is more dynamic and representative of those contexts and social structures.

Policy as discourse encompasses all the speeches, media coverage, official proceedings and documents that convey both advocacy in support of and opposition to the policy, as well as accounts of its implementation and effects (Ball, 1994; Taylor, 1997). Just like discourse, policy is conditioned by and constructs its context (N. Fairclough, 2015). Thus all the speeches, media coverage, and other policy talk are a product of the social structures from which they sprang, but they also alter and transform those social structures—reshaping understandings; broadening or narrowing conceptualizations, favoring some relationships, punishing some representations, and altering narratives. Elite policy actors use discursive mechanisms to define issues and contexts through relationships, representations, and narratives that protect their interests (Gillborn, 2013b).

Elite policy actors are participants who heavily influence the policy process by virtue of their governmental authority, their expertise, their political power, or their proximity to people in any of those groups. In discourse studies, politicians, journalists, scholars, writers, and bureaucrats are generally regarded as elites, and their discourse is

important to study because it has outsized influence over public thought (van Dijk, 2008). Elite policy actors construct narratives of the problem that set up their own perspective as neutral, intuitive, or self-evident. Through policy discourse, they select and define the features of a policy problem, then categorize those features, “selecting some things as relevant or important and discarding, backgrounding or ignoring others, occluding other ways of seeing (and acting), and thereby silencing them in policy discourse and ensuing action” (van Hulst & Yanow, 2016, p. 99). This is why studying policy discourse, not just policy outcomes, is important to study and understand.

Conceptual Framework

The model of critical discourse study van Dijk (2016) proposes for studying racism is a triangular sociocognitive conceptualization of the complex web of interactions that translate words into meaning, meanings into beliefs, and beliefs into actions. Discourse influences social *microstructures*, or personal interaction and communication, by constructing the mental models individuals use to make meaning of interactions with their environment. These meanings (i.e., knowledge) contribute to the formation of *ideologies*, or shared systems of beliefs and attitudes. Those ideologies are acted out and instantiated in social *macrostructures* (e.g., organizations, laws, traditions) that legitimize some ways of being (i.e., beliefs, values, behaviors) and marginalize other ways of being (van Dijk, 2008, 2016).

The social situation in which discourse is produced and understood, or the milieu of interactions and influences that occur around the triangular framework above, is the context, and from any given perspective it is experienced or asserted as a *context model* (van Dijk, 1990). Broadly, people with similar worldviews are situated in similar context

models (macro); on a smaller scale, people in the same room listening to the same speech are using a similar context model (micro), but even these models differ based on individuals' experiences and perspective. For van Dijk, a critical discourse study is an analysis of the context model of a particular situation for a particular person or group of people. For this study, I propose a context model of racial dissonance comprised of social structures of white dominance in education (i.e., discriminatory policies that marginalize and disenfranchise Black and Brown people) and discursive structures of unconscious racism (expressed belief in democratic and antiracist ideals), reconciled by the cognitive structures of moral disengagement. Unconscious racism is a theory of human action and legal principle in which discriminatory intent is implicit in the discourse and interactions of individuals in the United States (Lawrence, 1995a). Moral disengagement is a framework of psychological mechanisms through which individuals dissociate from the outcomes of their actions when they know their actions to be immoral by even their own standards (Bandura, 1999). These two theories have not been applied together to studies of education policy, and almost never synthesized as complementary frameworks even in legal scholarship influenced by social psychology. By studying both frameworks in the context of the takeover of LRSD, this study does both.

This analysis is more than a description of rhetorical themes, or of cognitive processes, or of social structures. For social structures to be maintained, they must be internalized in the mental models and knowledge of individuals, then reproduced as actions or speech aligned with the attitudes and beliefs that arose from that knowledge (van Dijk, 1995b). This critical discourse study conceptualizes the elements of the context model from the standpoint of the following respective frameworks: (a) the social

structures that uphold racial hierarchies and white supremacy from the perspective of Critical Race Theory, (b) the ideologies that support those social structures from the perspective of unconscious racism, and (c) the cognitive processes that undergird that ideology from the perspective of moral disengagement. Below, I pose the research questions for this study.

Research Questions

Research on specific urban cases of state takeover, mayoral control, and district-wide charter-ization is a burgeoning field (Gillborn, 2016; Lubienski, 2003; Payne & Knowles, 2009). However, there is a paucity of such research on contemporary education politics in Little Rock. Education reformers in Little Rock have, for decades, described their agenda in the language of civil rights and racial equality, yet the policies that have accompanied these appeals have, for decades, produced increasingly stratified results along racial lines. Policy actors select, name, and categorize parts of a policy situation to suit their interests. Critical discourse analysis is necessary to describe the linguistic and narrative mechanisms policy actors use to do that (N. Fairclough, 2010; Rogers, 2011; van Dijk, 2008; Woodside-Jiron, 2011). If white policy talk in education demonstrates the discursive mechanisms of detachment from the moral consequences of their policies, then the social justice aims of education reformists' agendas are compromised. The presence of moral disengagement strategies suggests policy actors' tacit acceptance of the racist effects of reforms like school choice and state takeover.

Discourse both reveals and constructs social norms, values, and activities; and policies are constructed through discourse. Policies therefore both reflect and affect social norms, values, and activities. Analyses of discourse are critical when they focus on

dominance from the perspective of the dominated group, show how dominant discourse is illegitimate, or show how alternative discourses will better represent the interests of the dominated group (van Dijk, 2008). I used a critical policy analysis approach (Diem, Young, Welton, Mansfield, & Lee, 2014; Taylor, 1997; Woodside-Jiron, 2011) in a study of education policy in Little Rock to answer the following questions:

1. To what extent is Bandura's theory of moral disengagement applicable in cases implicated by Lawrence's theory of unconscious racism?
 - a. How is the case of the state takeover of Little Rock School District a case of unconscious racism?
 - b. What mechanisms of *moral disengagement* are evident in the discourse of the takeover?

Definitions of Terms

Aversive racism: A preemptive abdication of moral decision-making responsibility, also situational and reflexive (Murrell, Dietz-Uhler, Dovidio, Gaertner, & Drout, 1994).

Color-blind racism: A sociological framework of race-neutral explanations and justifications for differences between people of different races, including liberalism, cultural racism, naturalization of separation, and minimization of harm (Bonilla-Silva, 2014)

Context model: The social situation in which discourse is produced and understood; the milieu of interactions and influences that occur in a policy arena from any given perspective (van Dijk, 1995)

Dog whistle: A coded reference to a racist idea that does not appear racist on the surface
(I. H. López, 2015)

Elites: “Members of dominant groups and organizations have a special role in planning, decision-making and control over the relations and processes of the enactment of power...such elites also have special access to discourse: they are literally the ones who have most to say” (van Dijk, 1993, p. 255)

Ideology: A shared system of fundamental beliefs that influences action and controls other shared beliefs (van Dijk, 2006b)

Implicit bias: A behavioral-level reflexive tendency studied via reaction times to pictures and words (Kang, 2010).

Institutional racism: An understanding of racism in which racial oppression is the outcome of established social structures and institutions, not of individual actions (Leonardo, 2016)

Moral disengagement: A social psychological framework that focuses on the role of individual agency in maintaining a system of social values in contradiction with the societal circumstances those values bring about (Bandura, 1999)

Policy discourse: speeches, media coverage, official proceedings and documents, advocacy in support and opposition to the policy, as well as accounts of its implementation and effects (Ball, 1994; Taylor, 1997)

Unconscious racism: A theory of discriminatory intent in which individuals subconsciously detach from awareness of the racist effects of their actions, because those actions are contrary to their ethical system (Lawrence, 1995a)

White privilege thesis: A perspective of institutional racism in which white marginalization of Black and Brown people is an inherited and fixed state of being with no culpable agents, rather than an active state of being that all white individuals are culpable for continually reconstructing (Leonardo, 2016)

CHAPTER TWO

Literature Review

The purpose of this review of the literature is to review relevant critical race studies of education policy, social psychological studies of racism, and critical race analyses of court opinions applicable to the takeover of Little Rock School District (LRSD). This was a study of the extent to which moral disengagement, a social psychological framework of self-exoneration for immoral behavior, was manifest in the discourse of white policy actors in the Little Rock education policy arena. It was also a study of the extent to which such a framework was applicable or complementary to a critical race analysis of the takeover, specifically the opinion of the U.S. District Court for the Eastern District of Arkansas, Western Division, that the takeover was not a racially discriminatory state action. I reviewed three bodies of literature: (1) critical studies of education reform policy narratives, (2) social psychological studies of racism, and (3) critical race studies of education policy. Through this broad review, I establish a general context model for the takeover that is inclusive of education reform discourse, social cognition in politics, and legal structures that protect white supremacy.

A general context model of urban education reform allows for the analysis of human agency in the process of racial stratification, rather than leaving it to agentless conceptions of institutionalized racism, by explaining the contradiction between racist acts and antiracist beliefs as an outcome of individual cognition of political discourse. Leonardo (2016) asserts that resisting white supremacy requires first acknowledging that

white supremacy is not passively inherited, but actively reconstructed. This is an ontological assertion locating the source of current white dominance in contemporary human activity, not remnants of past regimes. The human activity under investigation in this study is the construction of policy discourse of white policy actors.

The Landscape of Racism and Reform: A Context Model

Since the Civil Rights Movement, racism in the U.S. has (perhaps until recently) been of a more “covert” (Bonilla-Silva, 2014, p. 26), under-the-radar, or implied nature. This is true of education reform, where policies may seem to apply to all schools and students, but actually only affect communities of color. Where enacted, market-based reforms like school choice, charter-ization, magnet schools, Teach For America, and state takeover, have the effect of dispossessing communities of color of their spaces and resources, displacing governance of schools that serve these communities, and dominating education and policy discourse (Lipman, 2011). This last effect, the dominance of discourse, is the focus of this study; but the first two, dispossession and displacement, are the material effects of education reform that dominant discourse excuses.

Many studies connecting the discourse of market reforms to neoliberalism focus on the terminology of crisis, choice, managerialism, and accountability (Lipman, 2015; Stovall, 2013). The objective of neoliberal discourse is to persuade people to act against their own self-interest. According to Marxist, neoMarxist, and critical pedagogical perspectives, discourse generates common sense that makes neoliberal policy approaches seem intuitive, as if there is no other legitimate alternative (McLaren, 2003). The foremost concern from these perspectives is class difference, and how those in power

convince the majority to consent to *their own* domination. What this perspective cannot explain is how the majority consents to dominate and marginalize a minority group, even as they profess ideals of equality and social justice. Because of this relative silence on intraclass dominance, critical pedagogy and other Marxist perspectives on neoliberal reform do not sufficiently account for the racial stratification in American education.

Discourse theory. Since this study was of policy discourse, it is necessary to understand why discourse is worth studying. In policy formation, the discourse of issue definition and agenda formation is known as framing (Baumgartner & Mahoney, 2008). Policy framing is the use of deliberate orders of discourse to define a policy problem such that a solution is not only favorable to the framer's interests, but also apparently self-evident to the framer's audience, the public (Aukes, Lulofs, & Bressers, 2017; Baumgartner & Mahoney, 2008). It is a hegemonic exercise, because it not only seeks to define the problem, but to eliminate alternative definitions of the problem and to construct a policy scenario in which their own position seems objectively obvious (van Dijk, 2006a). Policy actors select particular aspects of a policy problem using discursive mechanisms (N. Fairclough, 2015; Gee, 2014). For instance, they foreground, or emphasize, their values and perspectives in their narratives and explanations; the corollary of this is that they, consciously or unconsciously, background or marginalize other aspects of the problem. Policy actors may name these selected elements using familiar metaphors, and categorize them in ways that heighten difference, so that their interpretations of the policy situation are easily digested by consumers. Relationships between the elements as categorized make certain policy solutions self-evident and other

policy alternatives seem irrelevant, ineffectual, or unconscionable (van Hulst & Yanow, 2016).

Discursive mechanisms and influence. These terms, cues, and devices may be understood as *discursive mechanisms*. They communicate relationships among people, ideas, and the world in many different ways, from grammatical choices and vocal intonation at the micro level (N. Fairclough, 2010; Gee, 2014), to rhetorical devices and narrative structures at the meso level (I. Fairclough & Fairclough, 2012; van Dijk, 1995a), to performance and design at the macro level (Hodge & Kress, 1988, 1993). Choosing which of these ways to study varies based on the school of discourse studies from which one's approach chiefly borrows. These schools are not mutually exclusive; discourse scholars value multidisciplinary and "methodological hybridity" (Rogers, 2011, p. 11). But they do reflect usefully distinct approaches to discourse; further consideration of these distinctions will be given in Chapter 3. The mechanisms under investigation in this study will be meso-level persuasive strategies and rhetoric (van Dijk, 2008).

Discursive mechanisms influence thought by limiting our communication to familiar words and concepts, thereby restricting our conceptualizations of social structures (i.e., relationships, representations, and narratives) to already-existing schema (Delgado & Stefancic, 2012). A *schema* is an easily accessible model for understanding new things, like a template into which new information and stimuli can be put for faster processing (N. Fairclough, 2010; van Dijk, 2008). We draw on existing terminology, rules, and classifications simply because we already know them, or because they are familiar to our audience. This precludes our thinking beyond the familiar to terms, rules,

and systems that we do not know about or that have yet to be created. It is not willful ignorance, but rather an inherent bias for the cognitively familiar. It may not necessarily merit blame or guilt, but nonetheless can result in the perpetuation of ideas and values that are blameworthy.

Hegemony and tools of thought. In societies organized around popular consent, power is exercised through hegemony, or what might be called common sense, instead of physical force (Gross, 2011; McLaren, 2003). Leaders generate popular consent by influencing, manipulating, and controlling public opinion; hegemony is the extent to which this consent is considered automatic or intuitive for the led. The peril of hegemony is that it can be, and frequently is, used by those in power to generate support for ideologies that sustain that power while perpetuating the oppression of the consenting populace. Ideologies are systems of values based on hegemonic ideas and assumptions about the world. Under the influence of some ideologies, large groups of people will support power systems that act against their own interests, or even against their own moral systems (N. Fairclough, 2015; van Dijk, 2006a). This is the nature of hegemony, to implicitly marginalize some individuals, groups, thoughts, or behaviors, often beyond the comprehension of those making the marginalizing assumption.

Where existing tools of thought are in use, the use of other tools is non-intuitive. Once a concept, such as a political issue, has been defined, it is unlikely to be redefined without innovation or radical reconceptualization. Derrick Bell (1995) put it in legal terms, comparing it to the strict constructionist principle of *stare decisis* in constitutional law, in which jurists rely on precedent and consequently never create new categories of rights. Issue definition is a stage in the policy process in which policy actors respond to a

confluence of political events and opportunities (Baumgartner & Jones, 1991). After policy issues are defined one way, it is difficult to think about them in a different way, which is why issue definition is arguably the most important step in the policy process (Baumgartner & Jones, 1991). By establishing a schema for thinking about a policy problem, those policy actors who succeed at defining the issues control the discussion and consequently set the policy agenda. One such schema is the policy narrative.

Policy Narratives of Education Reform

It is important to review studies of education reform discourse in order to establish the context model in which current reforms take place. In an extensive review of the literature, I found no studies of unconscious racism and education policy, nor of moral disengagement and education policy. Therefore, in order to account for the state of the literature on the discourse of education reform, I reviewed two bodies of research: studies of education reform narratives, and critical race discourse analyses of education reforms. Importantly, though both present policy discourse that marginalizes Black students and communities, and discourse in support of policies with racially stratifying outcomes, none of these studies attempted to explain the appeal of such discourse to voters. What accounts for the success of racist discourse and the persistence of racist policies when social values are increasingly anti-racist and social justice-focused (Gillborn, 2008, 2016)?

The preponderance of narratives I reviewed portray an education system in crisis, with helpless Black and Brown students as the victims of an outdated system that restricts their parents' abilities to choose better schools for them. The villains in this narrative are bad teachers and the unions that protect them. I identified three general plotlines with

three distinct morals, although they are certainly not mutually exclusive. The first is the *market* story, in which education problems are framed as the result of complacent schools and districts who are not accountable for their outcomes because parents are frequently not allowed to choose other options. The second is the *measurement* story, in which the root of education problems is the failure to properly measure the quality of classroom teaching and, with that knowledge, reward, punish, or replace teachers accordingly. And the third is the *mindset* story, in which educational decline is the result of teachers who either do not work hard enough or long enough for the miraculous achievement gains that are possible with persistence and grit.

Some studies also collected counternarratives. For instance, Golden's (2017) study of the personal narrative of "Elijah" showed two stories: one to explain his in-school world and the other to explain his out-of-school world. The two narratives are nearly contradictory, as Elijah attributed his out-of-school challenges to social and structural causes, but attributed his in-school challenges to personal shortcomings or group deficiencies. His narrative of his home and neighborhood life is consistent with critical and social justice narratives of structural inequity, but his narrative of school buys into meritocracy, individualism, and cultural deficits. Similarly, in Gerstl-Pepin's (2015) analysis of the narratives put forth in *The Wire* and *Waiting for Superman*, the narrative from *The Wire* is a counternarrative similar to Elijah's out-of-school narrative, juxtaposed with the dominant "choice is the solution to failing schools" narrative presented in *Waiting for Superman*. The importance of these counternarratives lies in their contrast with the preponderance of the other narratives in this review. However, in keeping with

the parameters of the current study (i.e., of the policy discourse of white policy elites), the following is a consideration of dominant narratives from the literature.

Setting. The setting of a policy narrative is “the environment which situates objects and characters; more specifically, the environment in which characters move or live” (Gautreaux & Delgado, 2016, p. 7). In the education policy narratives of elite policy actors, the setting is bleak. Of the 20 studies reviewed here, 6 identified specific constructions of setting that relied on the imagery of crisis and the language of survival (e.g., security, resuscitation, recovery), or on appeals to frontier entrepreneurialism (e.g., growth, opportunity, scalability). In the setting of the dominant education policy narrative, the U.S. is beset by increasing economic competition from around the world, where the results of globalization have been the incubation of a new generation of international competitors against which the U.S. is now ill-equipped to compete (G. L. Anderson, 1998). Two major themes in these settings aligned with Stone’s (2011) broad policy stories: decline and recovery. Stories of decline hearken to a bygone period of superiority or prosperity, and are utilized by policy actors to set the stage for stories of recovery, which set forth proposals for returning to that superior state again (Stone, 2011). Both are justifications of policy that, if analyzed with a moral disengagement (Bandura, 1999) framework, might yield interesting conclusions about the intent of policymakers deploying these narratives, as well as the susceptibility of their audiences to the logic of their justifications. The authors made no such connection in the studies I reviewed.

State of decline. These policy narratives position education as the engine of economic growth and, thus, as the solution to declining international dominance and

threatened economic survival (G. L. Anderson, 1998; Mansfield & Thachik, 2016). The notion of decline implies a past ideal state or a lost strength, both of which call for restoration or rejuvenation, so in this sense a setting of crisis-induced decline beckons action of some kind. In a study of rhetoric used in think tank reports and advocacy briefs in support of participation in the Programme for International Student Assessment (PISA), Auld and Morris (2016) found crisis rhetoric pitting nations against an abstract, but fierce, inertia:

Rapid globalization and modernization are posing new and demanding challenges to individuals and societies alike... The world is indifferent to tradition and past reputations, unforgiving of frailty and ignorant of custom or practice. Success will go to those individuals and countries which are swift to adapt, slow to complain, and open to change. (p. 208)

This rhetoric of competition calls for actors with bold plans and equates the status quo with continued stagnation and further decline. It is noteworthy that the above excerpt from a report by the Organization for Economic Cooperation and Development (OECD) mentions both individual and collective actors, because the emergencies evoked have consequences at both levels. While nations compete for dominance or at least a sizeable share of the global economy, individual children and families are also “at risk and in need of saving by aggressive policy reforms” (Kee, 2015, p. 253). Despite such dire circumstances, communities have nowhere to turn but to the crumbling education system—a “stolid bureaucracy with unresponsive leaders” (Ertas, 2015, p. 435). This lack of options at the family level, ultimately, created a space for opportunity in the disaster scenario (G. L. Anderson & Donchick, 2016). In the *decline* setting, the

education system has been acted upon by some destructive force (usually teachers' unions or policymakers, portrayed as antagonistic or apathetic), but in the *recovery* setting, which follows from opportunity, the education system has the potential to be acted upon by a constructive force.

Potential for recovery. Settings cannot be so desolate that they are beyond hope. To propose a solution, there must be a germ of potential to act upon. In a study of the language of model bills produced and disseminated by the American Legislative Exchange Council (ALEC), G. L. Anderson and Donchik (2016) saw the education landscape portrayed as “an industry poised for explosive growth” (p. 335) with the potential for billions to be made by private contractors with niche markets like technology, maintenance, foodservice, and transportation. ALEC produces legislation templates that state legislators all over the country then customize for enactment in their own contexts. Curiously, these services are all already offered by public school districts, and their growth is not reliant upon the academic potency of the school system; it is reliant upon contracts with districts and (more likely) education management organizations (G. L. Anderson & Donchik, 2016).

Kee's (2015) critical race analysis of the “themes and interpretive frames” (p. 252) of pre- and post-Katrina policy narratives in New Orleans revealed a localized instance of ALEC's verdant frontier. In newspaper articles, government policy briefs, and interest group advocacy texts, she found the education system represented as “a blank slate” (p. 253), a “breeding ground for innovation” (p. 254), and a “proving ground” (p. 255) for experimental reforms. The governor of Louisiana explicitly referred to the “washing away” (p. 254) of the old system as the “opportunity of a lifetime” (p. 254).

This theme of “rebirth” (p. 254) and the Recovery School District was similar to, but not quite the same as, Mansfield and Thachik’s (2016) notion of “resuscitation” (p. 10), which implies an escape from death rather than a renaissance.

The paradox in this construction of setting is that these descriptions of the education system—represented in microcosm by the “marginalized school” (Gautreaux & Delgado, 2016, p. 7), a decaying urban institution serving predominantly Black and Brown children—portray issues like national security and economic growth as dependent on the success of those institutions. The implication is that white schools are doing fine, but that national security depends on improving the Black and Brown schools. From the beginning, then, education reform is racialized. In her interviews with Secretary of Education Arne Duncan and another anonymous elite policy actor, Hernández (2016) observed the “presentation of South L.A. as a pathologized, racialized space” (p. 15), and reform presented as one approach to improving decayed urban environments and “helpless...desperate” (p. 7) communities. Duncan specifically appealed to whites to “get off the sidelines” (p. 19) to do something about the ills that the education system had perpetuated on Black and Brown communities. These appeals to social justice are important aspects of dominant policy narratives, because they have resonance with left-leaning audiences who are not moved by the international economic dominance and public sector privatization appeals (G. L. Anderson & Donchik, 2016). The setting of the dominant education policy narrative situates characters like students, teachers, and parents such that they either need to be saved (victims), need to be stopped (villains), or need to be empowered (heroes). The crisis setting sets the audience up for a rescue story, which beckons a hero.

Character. Characterization is achieved through discourse that conveys motive, causation, and conflict. In the dominant narratives reviewed here, victims are identified as agentless passive recipients of structural, cultural, or educational actions that have put them in their current condition. The use of victim and villain imagery in the following studies is a potentially rich trove of moral disengagement strategies such as victim blaming, dehumanization, and displacement of responsibility. Villains are blamed for the victims' plight, and heroes represent the policy solution. Notably, although the structural explanations of inequality that are frequently deployed to explain broad inequality implicate policymakers, the villains and potential heroes in these narratives are always teachers, which could be considered displacement of responsibility for education outcomes. No discussions of why teachers are an acceptable villain were broached by the authors. By not critiquing the narratives in their analysis, these authors risk reifying, or making concrete, the underlying assumptions of the policy actors under study.

Victims. In the common narrative of education reform, the victims of the status quo are usually Black children. Fourteen of the 20 studies reviewed here found explicit references to Black children, usually boys, as recipients structural, cultural, or self-inflicted damage and therefore deficient in some way. Much "common sense" (e.g., the body of assumptions and biases on which many political beliefs and values are based) about education and education reform in the U.S. is rooted in colorblindness, and furthers a deficit-based crisis narrative around the education of Black students. Deficit-based explanations of inequality fall into two main categories: structural and cultural. The *structural perspective* is that social structures and policies create material deficits for people of color and people in poverty; the *cultural perspective* is that families and

communities of color have cultural values that are at odds with the norms and expectations of achievement and success in America (Bertrand, Perez, & Rogers, 2015).

Structurally deficient. Much like the helpless and desperate people of color represented in Hernandez's study, Black families are typically represented as agentless actors in education reform narratives. They are unable to choose other options besides the bad public schools in their neighborhoods (G. L. Anderson & Donchick, 2016), but they also seek refuge from their neighborhoods at school (Gerstl-Pepin, 2006). Their parents are "distraught, noninfluential" (Ertas, 2015, p. 435), powerless to help their "suffering children" (p. 435). In a narrative policy analysis of legislation, print and video news coverage, and government documents related to the No Child Left Behind Act, Gerstl-Pepin (2006) found students portrayed as helpless. In a representative summation, one teacher interviewed for the study said,

They don't want school to end. They are scared. School is a stable, safe place for them. This is where they get food; they don't eat at home; they come to school dirty...our students come with a lot more to work on. (p. 152)

Culturally deficient. Portrayals of Black and Brown families as not valuing education, or not knowing how to effectively participate in their children's schooling, or not understanding the norms of academic learning, are referred to as *cultural deficit discourse* (Clycq, Ward Nouwen, & Vandenbroucke, 2014). This is one of the primary ways in which Black and Brown students are presented as victims in education policy narratives (Bertrand et al., 2015). In a critical race analysis of Supreme Court desegregation decisions, the *Coleman Report*, popular literature on the achievement gap, and Obama Administration policy documents, Aggarwal (2016) identified narratives in

which poverty had created cultural deficits within Black communities. The language of the *Coleman Report*

reframed the problem of inequality in education as being rooted in the ‘initial deficiency’ that poor students of color start out with: namely the ways that poverty affects the ‘cultures’—defined as the practices, attitudes, and values—of their families (Aggarwal, 2016, p. 136).

But the *Brown* decision asserted that the deficit was the result of segregation, not of poverty. The *Brown* narrative of victimization was of an internal injury caused by physical separation from whites—a part of the mentality of students instead of an effect of material conditions (Aggarwal, 2016). Integration with whites followed as the solution to the injury, which “pathologized the plaintiff instead of addressing the underlying pathology—white supremacy” (Aggarwal, 2016, p. 134, quoting Ladson-Billings). Decades later, the Obama-era Bridging the Word Gap program (designed to increase exposure of Black and Brown children to more words in early childhood) communicated to nonwhite parents that “the way they parent and care for their children is circumspect [against a white standard] and in need of reform if their children are to academically succeed” (Aggarwal, 2016, p. 143).

Villains. In the 11 studies that mentioned teachers at all in their policy narratives, teachers were the problem in each. There is a taxonomy of problem teachers, ranging from the inadvertently bad teacher who is just a product of a terrible system (Harrison & Cohen-Vogel, 2012), to the exploitatively bad teacher who takes full advantage of a terrible system (Gerstl-Pepin, 2006). Policy narratives that focus on the teacher pipeline, such as studies of TFA (Ahmann, 2015; Gautreaux & Delgado, 2016), tended to portray

teachers as incompetent, negligent, or lazy (Harrison & Cohen-Vogel, 2012). But policy narratives that focus on tenure reform or union-busting use much more severe descriptors, from “selfish” (Goldstein, 2011, p. 553) all the way to, in the words of former Secretary of Education Rod Paige, “enemies against hope” (p. 557).

The elite policymakers in Harrison and Cohen-Vogel’s (2012) narrative trace education problems back to the bad teachers who are getting paid the same as the most effective teachers. In transcripts of legislative committee meetings and floor proceedings, as well as direct quotes from newspapers, teachers are portrayed as lazy and negligent. Said one legislator, “I don’t want a teacher remaining in the classroom because she has tenure, and she’s sleeping half the time” (Harrison & Cohen-Vogel, 2012, p. 527). In this narrative, the nature of instructional practice is not questioned, but teacher competence is. Instruction is not working because the wrong people are teaching, and effective reform is “simply a function of putting the right people in front of students, and policies like pay-for-performance would get them there” (Harrison & Cohen-Vogel, p. 525).

Goldstein (2011) conducted a frame analysis of articles about teachers’ unions that appeared in the *New York Times* and *Time Magazine* between 2001 and 2008. She found teachers’ unions portrayed as, at best, a special interest group in favor of the status quo, and worst, a terrorist group and “threat to the American public” (Goldstein, 2011, p. 557). The conventional villain is the union as “establishment organization” (G. L. Anderson & Donchik, 2016, p. 336) steeped in bureaucratic inefficiency and cumbersome regulations that protect bad teachers. Allies of the unions are enemies of reform based on “stubborn loyalty” (Kee, 2015, p. 255) to the old system, from which control must be wrestled in order to fix education. A more sinister villain is the union as bully.

Conservative columnist George Will was quoted calling the National Education Association “a national menace” (Goldstein, 2011, p. 513). The language used to vilify teachers in these narratives was severe, which set up a description of the hero teacher that, by contrast, was just as extreme—the savior and the superhero.

Heroes. The hero teacher is described in policy narratives in such a way that also denigrates the current teacher corps, since the insinuation is that reform is needed to attract the hero teacher to the profession. Other heroes are represented, such as parents who take it upon themselves to exercise their choice and leave a school (Harrison & Cohen-Vogel, 2012), newspapers who publish student achievement results by teacher to protest the absence of a value-added teacher evaluation system (Gabriel & Lester, 2013), and education industry giants who swoop in to provide operational services for startups and growing charter networks (G. L. Anderson & Donchik, 2016). More often, however, the hero is one of two kinds of classroom-level actor: (a) a sacrificial white savior, or (b) an obligated Black superhero.

Teaching, in these narratives, is about rescuing children at risk of succumbing to social, emotional, and cultural depravity. The call to arms is specifically for “empathetic, benevolent” (Hernández, 2016, p. 19) white people, who, in former Secretary of Education Arne Duncan’s words, “HAVE to get off the sidelines” (p. 19). The notion of sacrifice and mission drive distinguishes the hero teacher from one that is merely competent. One teacher from Gerstl-Pepin’s (2006) study of NCLB discourse represented teachers’ work at a high-poverty elementary school as a kind of sacrificial self-denial: “All of the teachers were given the opportunity to leave with no strings attached and to transfer to other schools but they decided to stay. So to me, working in this school

requires a huge commitment and personal sacrifice” (p. 154). In her study of narratives in Teach For America (TFA) and Teach For All, Ahmann (2015) detailed a multi-faceted profile of an idealized teacher from the perspectives of TFA leadership and corps members. The cliché of the hero teacher/TFA teacher is a well-known pop culture trope, and Ahmann (2015) identifies it in her data as well:

An idealistic young person...confronts extraordinary obstacles—here, a measurable set of academic deficits...[who, in] a moment of realization, a kind of conversion to the cause...realizes he has to be the one to ‘stop the cycle,’ and is filled with a ‘sense of urgency’...Through hard work, personal sacrifice, and relentless pursuit of excellence...his students achieve ambitious goals. (p. 13)

This is a complete narrative that gives a sense of the idealized teacher as hero that TFA has effectively constructed.

Black role models (A. L. Brown & Donnor, 2011) overcome the inherent cultural deficits that channel most Black kids toward deviance and pathological behavior, and are then in a position to help other Black students do the same. In a critical ethnography of an after-school program that served Black students from low-SES backgrounds, staff members specifically identified hero narratives as a warning sign they look for in prospective staff members (Baldrige, 2017). They reported wanting to weed out applicants with this hero mindset that “Black youth need to be saved” (Baldrige, 2017, p. 9), as well as having to fight back against requests for stories of redemption from potential funders and journalists, who wanted “stories of jumping over trash cans and dodging crack, you know from crack dealers” (p. 9). The most sought-after story was “The Myth of the Supernegro”:

You know, kind of the “Black man makes it out of the ghetto; goes to prestigious universities and reaches back to help his community kind of thing.” So everything the organization does is based on that premise, you know. It’s only capable, it’s only possible because of this Supernegro man, this guy can come back and can reach back and save the day for all the kids he left behind when he split, right. (Baldrige, 2017, p. 10)

In this case, the leader’s hero narrative was cited as the chief draw for both media coverage and philanthropic support, especially when the leader had credibility from “the mean streets” (Baldrige, 2017, p. 11)—or was in some way “reformed and lucky to have escaped the perils of their communities” thanks to the “goodness and graciousness of philanthropy” (pp. 11–12). Black leaders, especially Black women leaders, are not valued in this narrative. Importantly, Black superheroes are portrayed as fulfilling an obligation (Baldrige, 2017), unlike white saviors, who are sacrificing better careers to work in “at-risk” schools (Ahmann, 2015). Narrative elements are difficult to discuss in isolation, since the nature of a narrative is for them all to interact. Just as a well-crafted setting situates relationships between characters and other elements such that the intended lesson is self-evident (Gautreaux & Delgado, 2016), well-created characters preordain the plot of a narrative.

In this review of the literature on the discourse of elite policy actors, I found cohesive narratives of education reform that justified harmful reforms in the name of economic growth and social stability (G. L. Anderson, 1998; Mansfield & Thachik, 2016), euphemized those reforms to appear consistent with social justice aims (Ahmann, 2015; Cann, 2013), and juxtaposed them with hyperbolic descriptions of decay and blight

(Gautreaux & Delgado, 2016). I found narratives in which responsibility is displaced onto teachers unions (Goldstein, 2011; Kee, 2015) or onto teachers themselves (Harrison & Cohen-Vogel, 2012), and in which the outcomes of market-based reforms are dismissed because they do not comport with political ideology (Gabriel & Lester, 2013). None of these studies framed such narratives as escapes from culpability on the part of policy actors. I found narratives in which Black students and families were blamed for the failure of schools (Aggarwal, 2016; Clycq et al., 2014; Ertas, 2015) and dehumanized as manifestations of pathological culture (G. L. Anderson & Donchik, 2016), yet none of these discourse studies allude to potentially disastrous consequences of such moral disengagement from whole communities.

The examples above touch on each of the mechanisms of moral disengagement (Bandura, 1999), but I found no discourse studies that places these narratives within a social psychological framework that would explain their appeal to the public, much less their appeal to left-of-center policy actors. Without such a framework, discourse studies of education reform politics—even critical studies—remain richly descriptive, but leave untheorized the relationship between race-neutral liberal policy discourse and racist illiberal policy outcomes. Theorization of discriminatory and racist human behaviors has been attempted in other approaches besides discourse and narrative analysis. I now turn to studies utilizing two of such approaches: social psychology and critical race theory.

Race, Psychology, and Politics

In this study, I approached education policy from two perspectives—social psychology and critical race theory—in an attempt to reconcile those perspective as parts of a singular explanation for the persistence of racist education reforms in a supposedly

egalitarian political culture. Below I review studies of aversive racism and moral disengagement, two social psychological explanations for how people act in contradiction to their ethical beliefs; and studies of unconscious racism, a critical race theoretical explanation of discriminatory agency through supposedly egalitarian language and policies.

Social psychology and racism. For the purposes of this study, I did not review literature on implicit bias (Kang, 2010; Kang, Bennett, & Carbado, 2012; Lane, Kang, & Banaji, 2007), which is extensive. Studies of implicit bias are based on participant reaction times to rapid stimuli and do not address how people reconcile racist behaviors with supposedly antiracist values. Theories of implicit bias present racism as an automatic behavioral response, in which the biased do not have agency over their judgment. The concept of implicit bias is also not tied to racial ideology, but in-group/out-group preference. In contrast, the theory of aversive racism was developed to explain the dissonance between racist, or biased, acts and the supposed antiracist ethic of the actor.

Aversive racism. Dovidio, Gaertner, Ufkes, Saguy, & Pearson (2016) claim aversive racism is distinct from “old-fashioned” (p. 12) overt, explicit, hateful racism. Instead, aversive racism is more characterized by “discomfort, anxiety, or fear” (p. 13) that manifest in more subtle and implicit ways than “open hostility” (p. 12). From this perspective, the good intentions of antiracists can sometimes lead to policies and actions that discriminate against Black and Brown people. Aversive racism is also different from colorblind racism (which is a framework of ideas) in that it is a behavioral response intended to avoid situations that might expose one’s biases. They acknowledge that bias

is subtle and that it can be a sub- or unconscious influencer of individuals' beliefs, words, and actions; but this kind of racism is rooted in inherent psychological commitment to the idea that group identity predisposes white people to "automatically activated" (p. 13) racist acts. Aversive racism is an attempt to explain the dissociation between an expressed social ethic of egalitarianism and persistent discriminatory behavior.

The concept of aversive racism arose from studies by Dovidio and Gaertner (1981) that identified how racial bias was related to situational ambiguity. For example, white participants in an initial study received phone calls from an anonymous man with a recognizably raced voice asking for help fixing their car (Gaertner, 1973). In the study, conservatives were more likely to deny assistance when the caller was Black, but liberals were even less likely to assist a Black caller, because they ended the phone call before the Black caller had a chance to ask for help. In describing the results of the phone call study, Gaertner (1973) described the premature hang-ups as disengagement, a way of avoiding having to decide whether or not to help.

Murrell and colleagues (1994) utilized survey methods to identify how people responded to affirmative action policies at the business, university, and social level. They found that when the policies were in support of Black people, as opposed to people with physical disabilities or elderly people, participants were more likely to oppose the policies without justification for their opposition. Murrell et al. (1994) concluded that focusing on disparate outcomes to prove discrimination was problematic, but that focusing on process also had its drawbacks, namely that both approaches would "underrepresent the complexity" of bias and "minimize the impact of negative and subtle forms of racism" (p. 82), such as aversive racism.

Dovidio and Gaertner (2000) tested the development of whites' self-reported racial bias over 10 years by analyzing their decisions related to the hiring of Black and white candidates. They found that self-reported prejudice increased, and that aversive racism predicted discrimination in ambiguous situations, but less so in more explicit situations. In other words, whites favored Black candidates over white candidates when job descriptions were clear and candidates clearly met the qualifications. But they favored white candidates when the candidate pool was underqualified.

In light of the theory of aversive racism, Aberson and Ettlin (2004) performed a meta-analysis of studies of white helping behaviors toward Black people. They also observed that whites treated Black people worse than they treated white people when evaluative or qualification differences were not clear. Black people were treated worse than white people for the same bad characteristics, but they benefitted more than white people from the same positive characteristics. Researchers claimed this demonstrated a tendency to overcorrect when there was justification for it. This study supports the existence of something like unconscious racism, but does not theorize how individuals in supposedly egalitarian contexts exonerate themselves from racial bias when norms are ambiguous.

The difference between aversive racism and the kind of unconscious racism that Lawrence (1995a) theorized is that while aversive racism may explain decision-making behaviors of individuals, it does not explain how they convey and cultivate their system of justifications (i.e., their ideology) to others. For the current study, this is an important element for two reasons: (1) elite policy actors have the ear of the general public, whose social values develop in interaction with public political discourse (van Dijk, 1990); and

(2) if discriminatory intent is to be found, even implicitly, it will be found in the discourse of public policy actors.

The body of work produced by and in response to Gaertner, Dovidio, Nier, and Hodson's (2005) studies of aversive racism offer a strong social psychological explanation for why supposedly non-racist people do racist things: "nearly unavoidable racial biases" (p. 377). This pat explanation implies that implicit or unconscious racism is a matter of in-group/out-group categorization. But the withdrawal from a situation before having to make a decision—to hang up early, as it were—is a choice, not a reflex. The motivation on the part of white liberals in these studies seems to be to create ambiguity, in order to establish plausible deniability. "Concerns about wrongdoing may increase anxiety that, in turn, may motivate avoidance or premature withdrawal from the interaction" (Gaertner et al., 2005, p. 391). I believe there is agency in the withdrawal from responsibility, and there is a social psychological basis for this belief.

Moral disengagement. Though there is not a large literature base for connecting issues of bias and prejudice to moral disengagement, there is enough to warrant further exploration of the connection between Bandura's (1999) theory of self-exoneration and critical race theory. Human behavior is influenced by moral systems that are, in part, socially constructed; but it is not wholly governed by them. Humans have the agency to alter their personal moral systems, or to alter the degree to which they act in alignment with those systems. In the case of education, there have been decades of attempts at reform in service of social justice-focused morality; but there is evidence that those reforms have exacerbated injustice, rather than alleviated it (Darling-Hammond, 2010; Gillborn, 2008; Love, 2004). To morally excuse this contradiction between aims and

outcomes requires acknowledging that either (a) social justice is not an actual aim of the policy, or (b) the outcomes are acceptable. Either choice should perturb a coherent moral system.

Moral disengagement is a social psychological framework that focuses on the role of individual agency in maintaining a system of social values in contradiction with the societal circumstances those values bring about. Bandura (1999) proposed that individuals justify behaviors they might otherwise consider immoral through the process of moral disengagement, a set of psychological mechanisms that allow individuals to suspend restraint from committing immoral acts. This description of rationalization parallels Lawrence's theorization of unconscious racism. I propose that the ideology of implicit and institutionalized racism is upheld through elite discourse, but reproduced and justified by individuals through the psychological mechanisms of moral disengagement.

Faulkner and Bliuc (2016) studied comments from news websites and found that supporters of racist behaviors utilized moral disengagement strategies to rationalize their views in an arena where explicitly racist views were likely unwelcome. Commenters portrayed using racist language as free speech or harmless name-calling, and compared racist acts to more severe incidents. These behaviors correspond with euphemistic labeling and advantageous comparison, two of Bandura's (1999) moral disengagement mechanisms. Commenters also displaced responsibility onto others, including the victims of racist acts, two more mechanisms Bandura (1999) proposed by which individuals excuse knowingly racist behavior.

Lynch and Haney (2011) studied moral disengagement through dehumanization on juries in death penalty cases. Through the framework of moral disengagement, they

proposed that people who are already dehumanized are “easier to punish because the psychological barriers against hurting them have been lowered in advance” (p. 587). Lynch and Haney’s conclusion was that a social psychological theory of racism like moral disengagement complicated the notion of impartial juries applying the death penalty in capital cases. “Contrary to prevailing legal wisdom, it is not solely a problem of conscious, motivated individual actors who engage in ‘purposeful discrimination’” (Lynch & Haney, 2011, p. 607). Haney’s previous work (1997) had relied on the first premise that capital punishment would be impossible in a democratic society without some form of morally disengaging ideology to rationalize it: “to ensure its viability, the system of death sentencing in the United States depends on the creation of an extraordinary set of psychological conditions” (p. 1447).

There is a broader body of literature on aversive racism that I opted not to review because of Leonardo’s (2016) requirement that a theory of racism in education policy account for the agency of the actors. The convenience of an automated racial response like aversive racism lets white people off the hook for what is an agentic undertaking, the reconstruction of white supremacy (Leonardo, 2016). The selected studies above are important to studies of education policy, because they shed light on the importance of the policy process (i.e., political discourse, issue framing), not just the outcomes of policies. Elements of the process, most notably how a policy is framed or presented, help to determine the level of racial animus voters allow to influence their support of a policy whose outcomes will have a race-specific outcome, either good (i.e., affirmative action) or bad (i.e., redlining). Interestingly in the aversive racism literature, anti-Black views were more common when the issue was presented with race-neutral terms and

justifications. This fact necessitates further study of supposedly race-neutral political discourse for the ways in which it may encourage discrimination, rather than alleviate it.

The concept of moral disengagement proposes the agency and deliberation that aversive racism, as a theory of automatic response, lacks. From Gaertner and colleagues' (2005) research, the white liberal strategy of hanging up the phone before the Black caller can ask for help is active disengagement of a kind, an evasion of responsibility. But all racist acts are not instant decisions; many come after long deliberation. Haney's work on the death penalty, which considered the deliberations of juries, is the only application of moral disengagement to legal scholarship that I found. From a critical race perspective, a helpful social psychological contribution to studies of the reconstruction of racist ideology should explain the deliberative (i.e., logical, rational), not just the reflexive.

Critical race policy analyses. Analysis of policy from the perspective of Critical Race Theory requires locating the roots of the policy within the history and legal structures of white supremacy (Buras, 2013). This study is rooted in the tenets of *racial realism* and the *critique of liberalism*. Racial realism is the idea that racial inequality is a permanent societal condition that is strengthened by attempts to alleviate it (Bell, 1995). Though race is a social construct, the effects of that construct are materially experienced by people of color, and the legal and political systems that uphold racial distinctions and hierarchies will not be transcended without a truly radical upending of norms and values (Bell, 1995; Buras, 2013). The critique of liberalism arises from this perspective and holds that devotion to the ideals of equality, objectivity, meritocracy, and colorblindness actually do more to legitimate racism and white supremacy than more explicit, overt notions like white nationalism, segregation ideology, and Jim Crow laws (Crenshaw,

1995; Delgado & Stefancic, 2012). Given these perspectives, it is the well-meaning laws and policies, which appear to advance racial equality and civil rights, that must be interrogated for the ways in which they may legitimate white supremacy.

Laws and policies can have predictably racist outcomes without explicit racist intent on the part of the policymaker. Because of a psychological process by which people “exclude racism from consciousness” (Lawrence, 1995a, p. 238), people can “continue practices they would otherwise condemn and in which their own complicity would be painful to admit” (p. 239). This corresponds with the *perpetrator perspective* that Freeman (1995) proposed, which holds that discrimination must be purposefully inflicted upon a victim by a particular agent in order to be classified as intentional. The legal principle of discriminatory intent protects racist policies and laws from strict judicial scrutiny as long as explicit discriminatory intent is not verbalized within the law or by policymakers during its formation. In opposition to this legal principle, the principle of *unconscious racism* holds that policies can arise from racist intent beyond the awareness of the agent, and that the racist outcomes of those policies are a result of that underlying implicit motivation (Lawrence, 1995a). Van Dijk’s sociocognitive framework benefits from Lawrence’s and Freeman’s understandings of implicit racism, because they propose a cause (i.e., the unconscious racism) and an outcome (i.e., discrimination), but not a means by which the outcome is actualized. Discourse theory proposes this means.

Bell’s (1995) racial realist thesis is that racist mental models are nearly permanent, endemic to the American psyche. No amount of empathy, guilt, or good intention can permanently counteract the inherent racism of American social and political structures (Delgado & Stefancic, 2012). Nevertheless, the traditional liberal policy

agenda, including the original NAACP efforts in the Brown case, attempts just that. A central assertion among Critical Race theorists is that “racism is not a series of isolated acts, but is endemic in American life, deeply ingrained legally, culturally, and even psychologically” (Ladson-Billings & Tate, 1995, p. 52). For example, the “integrationist ideology” (Peller, 1995, p. 127) that the courts and policymakers have constructed around civil rights and education over the last six decades holds that (a) mathematical proportionality absolves the system of charges of racism, and (b) race-conscious laws or policies are racist.

In a critical race discourse analysis of Mexican American superintendents’ finance policy discourse in Texas, Alemán (2006) found that Mexican American education leaders self-disfranchised by accepting the dominant discourse frames in support of state finance policies that disadvantaged majority Mexican American districts (Alemán, 2007). Policies based state-based financing on district property values, and district financing was also a matter of property tax revenue, which led to chronic underfunding of majority Mexican American schools on a per-pupil basis (Aléman, 2007). Superintendents recognized this reality, yet they still reported support for the funding formulas as objective and fair, believed the current situation was better than it used to be, denied the existence of institutional racism in state policy, and blamed their own students for underperformance (Aléman, 2006). Aléman (2006) proposed methods of resistance to the identified self-disfranchising ideology, but did not consider why these leaders adhered to such beliefs in the face of so much evidence to the contrary.

Other critical policy analyses have also demonstrated problematic rhetoric. High-stakes testing policies are accompanied by the rhetoric of racial equality, but have the

effect of racializing achievement (Au, 2016). This is an example of apparently neutral and objective language (i.e., policy) leading to racially stratified outcomes on statewide assessments. The results of these assessments in the age of NCLB were decreased funding and the threat of school closure, which threaten communities of color. But race-neutral language also affects individual students. Colorblind framing of policies prevents Black students from naming racism without being accused of provocation (Chapman, 2013). Black students in majority white schools reported being discouraged from framing their grievances and concerns in racial terms, even being chastised when they attempted to report instances of racism without framing them in a race-neutral way (Chapman, 2013).

Yet the Supreme Court points to race-neutral language to deny the existence of discriminatory intent in desegregation policies. Donnor (2012) identified language that could be construed as moral disengagement efforts, including victim blaming and denial of outcomes by diffusion of responsibility to parent choice (when choice was not an option for many Black families), and euphemism of discrimination as neutral principles like freedom of association, in the *Brown* ruling. The framing of integration in a race-neutral manner in *Brown* appeared to guarantee freedom of choice, but actually put the onus on Black parents to apply for the children to attend white schools. Donnor (2012) identified the persistence of the above precedents in the ruling in *Parents v. Seattle School District No. 1*, which established that the use of race in school choice policies was unconstitutional. The study was of legal precedent, not politics, so no discussion of the function of social psychological mechanisms was included, despite the author's citation of Lawrence in an explanation of Freeman's concept of the perpetrator perspective.

Besides one mention from Donnor (2012), none of these critical race analyses of education policies drew from Lawrence's theory of unconscious racism to define the adherence to race-neutral policies and discourse as an intentional avoidance of known racist effects, despite the concern of CRT with dismantling the ideologies that prop up white supremacy:

Critical Race Theory (CRT) is attentive to the sobering realities of racialized suffering and the discursive and material formations that shape and give meaning to a stratified social structure. CRT focuses on exposing and actively dismantling taken-for-granted, regnant racial ideologies and power relations. (Henry & Dixson, 2016, p. 226)

However, there have been attempts in legal scholarship to use social psychology to explain how discriminatory intent actually looks. Their conclusions are that it does not look like anything—it is invisible. It must be inferred.

Discrimination and the plausibility standard. In light of the above insights social psychology has provided on racism, I reviewed the legal literature concerning the application of theories of unconscious bias and aversive racism to the legal principles of discriminatory intent. In an analysis of legal studies of the application of implicit bias in discrimination cases, Selmi (2018) observed that legal scholars have presented reflexive notions of bias such as implicit bias and aversive racism as “unconscious, pervasive, and uncontrollable” (p. 193) responses. Such approaches put discriminatory actions beyond the scope of legal address, casting racism and discrimination as “snap judgments rather than the more common deliberative decisions the legal system addresses” (p. 193).

To the extent that legal scholars have relied on theories of implicit bias and aversive racism, they have established a false dichotomy, with explicit and obviously intentional discrimination (“animus or old-fashioned discrimination,” p. 198) on one side, and implicit, unintentional discrimination on the other. Selmi (2018) deemed it “very strange to claim that if discrimination is not animus-based it must be unconscious in nature” (p. 198). Implicit bias critiques of the discriminatory intent requirement have had the opposite of the intended effect, excusing discriminatory activity instead of indicting it. From a social psychological perspective, legal studies of implicit bias are, themselves, moral disengagement—diffusion of responsibility amongst the cultural and evolutionary forces that have shaped human behavior, and displacement of responsibility onto the reflexive reptilian brain, itself somehow a separate actor beyond our control.

Unconscious racism. Lawrence’s (1995a) theory of unconscious racism predates the contributions of social psychology of implicit bias, aversive racism, and moral disengagement. There is a line of legal scholarship in which legal scholars have applied Lawrence’s theory to the legacy of *Davis* and *Arlington* and other discrimination suits. These studies document how race-neutral discourse protects policies from culpability for their discriminatory outcomes, and some have shown how unconscious psychological processes influence behaviors. But what Lawrence (1995a) wanted to know was “why does this disease continue to spread” (p. 5)?

The concept of unconscious racism is the notion that discriminatory intent is not necessary for a law or policy to have discriminatory outcomes worthy of strict judicial scrutiny (Freeman, 1995; Lawrence, 1995a). According to Lawrence (1995a), individuals can take action that they know will have racist effects even if they are committed to

equality and social justice. When there is conflict between one's racial ethic and one's actions, "the mind excludes his [sic] racism from consciousness" (Lawrence, 1995a, p. 238). Opponents of the idea of unconscious racism insist that racism and/or racist acts must have an identifiable source (i.e., a person who commits the act in question) in order for someone to be held accountable; this is known as the *perpetrator perspective* (Freeman, 1995). From the perpetrator perspective, responsibility for racist outcomes such as discrimination is so diffuse that (a) no one is seen as personally culpable, and (b) no group is seen as collectively culpable, for those outcomes. Without culpability, there is neither imperative nor obligation for change (Freeman, 1995).

One CRT critique of structural determinism is that it absolves the agents of racism from accountability for the outcomes of racist laws and policies (Delgado & Stefancic, 2012). The requirement that there be a perpetrator distracts from the systemic and institutional ways in which racism is reproduced, but this critique must also be reconciled with Leonardo's (2016) demand that there be agency accounted for in theories of this reproduction. From the perpetrator perspective, it is the explicit racism of white nationalists and segregationists that perpetuates white dominance, but these are marginal ideas. The most dangerous kind of racism is that which is embedded in supposedly antiracist discourse, equity policies, and social justice movements (Matias & Newlove, 2017). The difference between the perpetrator perspective and Matias and Newlove's notion is that a perpetrator is a single individual or recognizable group. The source of American racism is cultural hegemony; its regeneration is built into the ideals of equality, liberty, and individualism at the core of American identity to which that vast majority of Americans are committed (Matias, 2016). This explains its permanence. In other words, it

is not a specific individual or group; it is everyone. Its regeneration is not a straying away from the liberal ideals of equality, liberty, and individualism—it follows from them. It is commitment to these colorblind ideals, through the naturalization of separation and cultural attribution of normed differences, in which agency is involved.

The premise of structural determinism and the critique of liberalism in CRT are that the “ordinary business of society” (Delgado & Stefancic, 2012, p. 27) is racist. So-called race blind attempts at legal remedies and policy, then, only perpetuate structural racism. Race-consciousness is a first premise of anti-racist policy making. In education, the concepts of neutrality and objectivity, along with the ideology of meritocracy, are supposedly race-blind approaches to instruction, assessment, finance, choice, and many other issues (Ladson-Billings, 2005; Ladson-Billings & Tate, 1995). Beginning with *Brown*, equality has been paradoxically defined as numerically achievable through proportional distribution of students, resources, and so forth (Bell, 1995), by policies that were blind to race (Peller, 1995). *Brown* itself is an implicit admission that supposedly race-neutral policies can have racially differential effects.

Arterton (2008) studied the role of unconscious bias in jury selection, and found that discrimination suits made up 25% of the D.C. Circuit caseload, where cases involving federal policies and federal agencies are heard. According to Arterton the Supreme Court has acknowledged, since the 1940s, the existence of unconscious bias on the part of jurors; but judges are prohibited from taking race into account in any decision, from selecting a jury to issuing a judicial opinion. Bellin and Semitsu (2011) argued that the discrimination standard for jury selection “is so specific that it may be (and has been, extensively) evaded with ‘purportedly race-neutral’ explanations for juror strikes” (p.

1076) during *voir dire*. Supreme Court justices and legal scholars alike have critiqued how the overly rigorous intent standard allows “attorneys to mask racial stereotypes in race- or gender-neutral rationales and thus succeed in striking jurors based on race or gender” (p. 1106). Bellin and Semitu’s (2011) analysis noted the pervasive use of race-neutral language in the rationalization of discrimination.

Mentovich and Jost (2008) synthesized research on social cognition with Lawrence’s (1995a) theory of unconscious racism, and asserted that racism is both a social and a psychological phenomenon. It is both on individual beliefs and behaviors as well as commonly held collective belief systems. The authors asserted that Lawrence’s theory, combined with social cognition research on the influence of the subconscious on human behavior, supported two conclusions: (a) that explicit attitudes may not tell us what someone actually intends, and (b) that implicit attitudes may be a better indicator of actual intent (Mentovich & Jost, 2008). A meta-analysis of implicit association (IAT) studies showed that implicit bias was a better predictor of discriminatory behavior (Greenwald, Poehlman, Uhlmann, & Banaji, 2009). These studies explain that unintentional biases exist, but stop short of connecting reflexive biased behaviors to any kind of belief system.

Paterson, Rapp, and Jackson (2008) identified discrimination suits in healthcare, criminal law, sports, employment, housing, juvenile justice, child welfare, even fashion, that did not meet the intent standard. Paterson et al. (2008), highlighting a newer trend in which courts in employment discrimination suits had taken implicit bias and unconscious discrimination into account, suggested these decisions were “chipping away at the foundations of *Washington v. Davis*” (p. 1195). However, the article was published

before the *Twombly* and *Iqbal* standards for plausibility (namely, that discrimination be a plausible explanation, not merely a possible explanation) began to depress the number of discrimination cases surviving a motion to dismiss.

Interestingly, the intent requirement is a singularly American legal doctrine; places like Europe, Canada, Mexico, South Africa, and international human rights conventions define discrimination more broadly and are inclusive of outcomes as evidence of intent (Paterson et al., 2008). In the U.S., the intent requirement requires that actors not only be aware of the potential of discriminatory impact, but that they choose a course of action because of that impact. So the question is whether a conception of unconscious bias can explain that policymakers acted because of, not just in spite of, the discriminatory impact. Theories of implicit bias that rely on reflexivity do not meet this standard, because implicit bias and aversive racism are, by definition, unintentional.

Conclusion

Our collective understanding of education reform is evident in the shared norms of talk in urban social policy and education that we undertake (Goldstein, 2011). We understand, to a degree, what is meant by things like accountability and school choice; but other biases and marginalizing understandings are also wrapped up in our conceptualizations of things like accountability and school choice. The purpose of this section is to review how discourse has been used to maintain white dominance in education. Elite policy actors define issues in education in ways that suit their interests, setting the terms of education reform debates and predetermining the public reform agenda; to divorce the outcomes of education policies from this process (thereby

exonerating policymakers and placing blame on educators or students/families) is illogical.

Educational outcomes in urban policy arenas are, almost without exception, increasingly unequal, despite major reform initiatives. We can infer the implicit values of policy elites by analyzing the language they use to persuade, explain, and defend their policies to the public. A common narrative emerges from political rhetoric around education reform, and this narrative communicates troubling values and beliefs concerning education of Black children. “Contemporary policy discourse and public responses to the young African American male crisis narrative conveys a meta-narrative, postulating that the existing structural organization of American society is fair, equal, and *blind to race*” (A. L. Brown & Donnor, 2011, p. 21, emphasis added). Common sense about education and education reform in the U.S. is rooted in colorblindness, and furthers a deficit-based crisis narrative around the education of Black students.

As part of this colorblind narrative, policies are written to meet the needs of “all students,” instead of focusing the students with the greatest need (G. R. Lopez, 2003). Blanket reforms like NCLB or RTTT are facially race-neutral, but have disproportionately negative effects on urban schools, low SES communities, and Black students (Gillborn, Demack, Rollock, & Warmington, 2017). If the effects of a policy are consistently race-specific, but the language of policy appears race neutral, then the concept of race neutrality, or colorblindness, may be problematic for both policymaking and policy analysis (Buras, 2013; Gillborn, 2016). There are benefits for white policymakers interested in protecting the benefits of whiteness to frame policies and policy discussions in supposedly colorblind ways, and to express educational ideals with

all-encompassing, inclusive, neutral language instead of targeted, race-specific language. What remains to be seen in the research is why colorblind political strategies and race-neutral ideologies maintain such influence over education politics. Legal scholars have demonstrated how research-based explanations of individual-level bias undermine the legal standards for discriminatory intent, and critical race theorists have proposed how severely rigorous plausibility requirements strengthen those standards, rather than moving toward more flexibility in legal recognition of discrimination. This study proposed a synthesis of Bandura's and Lawrence's paradigmatically distinct theorizations for how people come to act against their own moral systems, as manifest in the discourse of education reform.

CHAPTER THREE

Methods

Critical discourse analysis (CDA) allows for the reframing of the social actions of policymakers and other policy actors. The focus of CDA in policy analysis is an “understanding of how discourses interact with the practice of policymaking” (Young & Reynolds, 2017, p. 26). As a method that more clearly focuses on the processes of issue definition, CDA can be used to identify how big conversations are translated into local issues and policy agendas (N. Fairclough, 2010; Rogers, 2011; Woodside-Jiron, 2011). The term discourse has different meanings, so it is important to define the concept as it was understood in this study (van Dijk, 2008). Discourse can be a general body of talk within a self-contained discipline, field, or area (e.g., feminist discourse, campaign discourse, medical discourse). More broadly, discourse can be any social action (i.e., symbols, behaviors, objects, social structures). For the purpose of this study, however, discourse was understood as “a specific communicative event, in general, and a written or oral form of verbal interaction or language use, in particular” (van Dijk, 2008, p. 104).

Below are the procedures through which I analyzed the education reform talk of elite white policy actors in Little Rock during the 2015 state takeover of Little Rock School District (LRSD). First, I state my positionality. Then I discuss what a critical discourse study is, including the specific context of this study and the sampled discourse at its center. Next, I outline the multi-phased process by which I analyzed the data

collected. I conclude with the measures I took to ensure the reliability of my data and the validity of my analysis.

Positionality

As a white, cis-gendered, able-bodied gay male I am vigilant for ways in which my dominant positionality may be influencing my work, especially to the extent that I marginalize research from scholars of color, colonize or coopt existing theories and frameworks from scholars of color, or uncritically follow my own assumptions and biases in analysis (Delgado, 1984, 1992). Part of critical consciousness is foregrounding the experiences and voices of others, and backgrounding my own experiences and voice in order to avoid over-representing white perspectives. For this reason, counter-narrative is a central methodological tenet for CRT-based studies of racism. The current study is not a counter-narrative, but a critical study of white master narratives. Critical analysis of majoritarian discourse is necessary to uncover the ways in which that discourse reproduces white dominance and white consent to dominance (Gillborn, 2016; Tate, 1997, 1999). I discuss the ways in which I guarded against my own bias below in the Data Validation section.

It is also important to note that I am from Little Rock, and that I was a teacher in a public charter school there before I became a researcher. Almost all of our students were Black, and I was one of only a few white teachers. For most of the time, senior administrators at the school were white. I entered graduate school firmly convinced of the goodness of that school's mission, with major objections to its methods. As a researcher, I have come to appreciate the larger context of charter schools in an urban district. Additionally, I have many personal connections in Little Rock—elite and non-elite, white

and Black, policy actor and policy actor-adjacent. They are in education, government, journalism, advocacy, and law. I utilized some of these connections to recruit peer debriefers and expert reviewers for the validation of my data analysis.

This study rested on some assumptions about how social values are created and reproduced, about how power is established and maintained, and about the origin and functions of race in American society. Social constructs like values, power, and race each have a source, and identifying that source requires a researcher to take an ontological (concerning being and reality), axiological (concerning morals and ethics), and epistemological (concerning knowledge and legitimacy) stance.

The first assumption was that our reality—our identities, beliefs, and social structures—consists of meanings that we make individually and socially. However, the social construction of reality does not mean the material effects of these social structures are not experienced as real and objectively identifiable (Buras, 2013; Delgado & Stefancic, 2012). For instance, race may be a social construction, but the experience of people who are marginalized by the ideologies that arise from race cannot simply be ignored or imagined differently; it is real (Bell, 1995). The forces exerted on people by imposed realities that others have socially constructed are at the heart of this dissertation.

My second and third assumptions were that (a) social values are rooted in the social structures we create and the knowledge systems we reproduce, but that (b) we are agents in the acquisition of knowledge and the legitimation of some knowledge over other knowledge. Because of this, we incur culpability for the consequences of the social structures we legitimize (Leonardo, 2016), but we also have the potential to transform those structures by reexamining and changing the knowledge we legitimate and the social

structures that result from it. The dialectical relationship between social structures and individual cognition, in which social systems like discourse influence and are influenced by individual values and beliefs, allows for the transformation of social understandings by individuals (van Dijk, 2014). Choosing not to critically examine the effects of our discourse reproduces power, because ignoring the effects of one's power is actually deployment of that power, an assumption of its legitimacy (van Dijk, 1992, 1995b, 2008).

Data Collection

I analyzed discourse produced at the individual, organizational, and institutional levels. I sampled individual-level discourse from two Arkansas newspapers. In order to validate my analysis of individual discourse, I triangulated sampled discourse from the two newspapers with minutes from the proceedings of the Arkansas Board of Education, organizational-level discourse from reports and policy briefs produced by three education policy interest groups, and institutional-level discourse from the *Arkansas Code, Annotated*, and the United States District Court for the Eastern District of Arkansas—Western Division. I classified individual-level participants (elite white education policy actors) based on van Dijk's (1995b) categories of symbolic elites (individuals whose status gives them outsized influence in the public sphere) in discourse: bureaucrats, journalists/writers, elected officials, educators/academics, and special interest groups. I analyzed discourse that concerned the takeover from 43 white individuals that I deemed elite policy actors because of their visibility in the media or membership on a public body. Within the general takeover discourse were several specific conversations related to the takeover. It is important to understand the substance of these conversations in order to validate a foundational assumption of this study: that the takeover itself was harmful to

Black students, parents, and communities in Little Rock and will continue to be (as the district was still under control at the time of this writing). Next, I explain these conversations and the harmful policies and actions around which they occurred.

Texts. I collected public discourse from white policy actors in Little Rock during the period of January 1, 2015, through June 30, 2016. I collected discourse at three levels, for the purposes of validation of individual-level rhetoric. Individual-level discourse was my principal focus, since my research questions concerned individual policy actors' speech. But I also sampled and analyzed organizational-level discourse and institutional-level discourse in order to validate individual-level use of the mechanisms of moral disengagement. Organizational discourse is more deliberate than individual-level discourse, since it is frequently constructed collectively and represents a group (Chouliaraki & Fairclough, 2010). Institutional discourse is even more deliberate, since it is the result of either extensive collective deliberation in a representative body vulnerable to public approval (e.g., legislation) or extensive deliberation by a judge or court restrained by both constitutions and decades of legal precedent (I. Fairclough & Fairclough, 2012). By triangulating individual-level discourse with organizational- and institutional-level discourse, I reduced the likelihood that instances of moral disengagement were misstatements or improvisations of individuals. This increases the likelihood that they were manifestations of social values or ideology with deeper roots.

I collected individual-level discourse from elite white policy actors from the two major newspapers in Little Rock—the *Arkansas Democrat-Gazette*, a statewide daily with a right-leaning editorial page; and the *Arkansas Times*, a statewide weekly with a

left-leaning editorial page.² My sample of individual-level discourse was comprised of direct quotations from public meetings, interviews with reporters, public statements, columns, op-eds, blog posts, and editorials, all from elite white policy actors only. Journalists' discourse was sampled only when in a column, blog post, or editorial (e.g., I did not treat newspaper articles themselves as reporters' discourse). I selected these two newspapers because of their level of influence as the two most well-known papers in central Arkansas. I chose newspapers, as opposed to social media or other media, as the main source of individual-level discourse, because I wanted elites' discourse (not discourse from parents, community members, teachers, or students) with the widest possible public exposure (N. Fairclough, 2010). The *Democrat-Gazette (D-G)* archives were available online through a subscription at Swem Library, and my personal subscription to the online version of the *Times* enabled access to those archives. An initial search of these two archives utilizing various combinations of the terms "Little Rock School District," "LRSD," "education reform," and "takeover" yielded over 600 articles which constituted the sample for this study. Other sources were used for triangulation only. To triangulate this individual-level data, I also analyzed the publicly available written minutes of state board meetings, from which many of the newspaper quotations were drawn. The minutes were not as rich a source for direct quotations, however. A speaker's argument might be summarized or referred to in the minutes, whereas the newspaper article would contain direct quotations. Other individual-level speech in newspapers was from comments made directly to reporters or from public statements.

² These political spectrum designations are based on my own experience of these two papers, from having lived in Little Rock for over 30 years and read both papers for at least two decades. But I confirmed them at the following sites: <https://mediabiasfactcheck.com/arkansas-democrat-gazette/> and <http://www.encyclopediaofarkansas.net/encyclopedia/entry-detail.aspx?entryID=3060>

I collected takeover-related discourse from three organizational-level actors as well: Arkansas Learns, Forward Arkansas, and the University of Arkansas Office for Education Policy. Arkansas Learns is an education reform advocacy and organizing group with a pro-charter school and pro-school choice agenda. Their influence is through a network of city-focused reform groups around the state. They disseminate research and perspective through a newsletter and blog, both of which are frequently cited in newspaper articles. Forward Arkansas is a public-private partnership organization focused on statewide education planning. Their board is bipartisan and diverse, comprised of legislators, business leaders, educators, and philanthropists. They have released several reports on the state of education in Arkansas, but their specific agenda was still in development during the period of this study. The Office of Education Policy is a research center at the state's flagship university, staffed by university faculty from the Department of Education Reform. They release monthly newsletters on education policy at the state level, as well as reports on policies and performance in the state. All three of these organizations receive substantial funding from the Walton Family Foundation, an Arkansas-based pro-charter education reform funder with a national impact. I sampled discourse from these organizations in the form of press releases, blog posts, public reports, policy briefs, and op-eds related to the takeover and related policies, such as the bill to establish an Achievement School District, and the expansion of enrollment caps at two Little Rock charter schools.

I collected institutional-level discourse from the Arkansas Code, including the Arkansas Public School Choice Act of 2013, the definition of the powers of the State Board of Education, and the rules on schools in academic distress; and the U.S. District

Court for the Eastern District of Arkansas opinion in *Doe v. Arkansas Department of Education* (2016), the discrimination suit filed in response to the 2015 takeover.

Table 3

Symbolic Elites

Discourse group	Composition
Journalists	Editor and columnists from the Arkansas <i>Democrat-Gazette</i> (DG) Editor, columnists, and blogger from Arkansas <i>Times</i> (AT)
Bureaucrats	Members of the Arkansas Board of Education Administrators from the Little Rock School District Administrators from the Arkansas Department of Education
Elected officials	Governor of Arkansas Lieutenant governor of Arkansas Attorney general of Arkansas Mayor of Little Rock Ex-members of the Little Rock School Board Members of the Arkansas General Assembly
Advocates	Leadership of the Little Rock Chamber of Commerce Director of the Arkansas Communities Coalition President of the Little Rock Education Association
Educators	Faculty and administrators from the University of Arkansas, Fayetteville Faculty and administrators from the University of Arkansas, Little Rock CEO of eSTEM Public Charter School CEO of LiSA Academy

Speakers. No data were generated from active participants in this study. All data were collected from publicly available texts. However, for a critical discourse analysis of elite white policy actors’ reform talk, I identified specific individuals whose status in the policy arena qualified their discourse as elite. van Dijk (1995b) identified a class of individuals whose influence over public opinion makes their discourse especially salient. Among these were elected officials, appointed administrators and bureaucrats, special interest advocates, journalists, academics, and writers. Some policy actors fell into more than one group. For instance, Jay Barth is a college professor and a State Board member; Greg Adams was an elected School Board member but later an appointed Civic Advisory Committee member. In these cases, I included the policy actor with the group closest to

his or her role in the context of the sampled discourse. Barth's influence in this case came from his status as an appointed bureaucrat, and Adams's influence was as the former elected president of the School Board. There was much more crossover between groups among the Black policy actors, including John Walker, an attorney, state legislator; Joyce Elliott, a state senator and former educator; and Wendell Griffin, an activist and judge. But these distinctions were not relevant to this study. Among these elite policy actors in Little Rock, most were white, and since this was a study of white majoritarian policy narratives, only the discourse of white participants was sampled. I knew from personal experience the racial identities of most of the actors, but those I did not know I searched for on Google. I then presented a roster of policy actors to one of my Little Rock expert reviewers for confirmation of the lists of white policy actors and Black policy actors. Since CRT is more a critique of the implicit racism of liberalism than of the explicit white supremacy of some conservatives, I sampled from white policy actors from both sides—liberals and conservatives, Democrats and Republicans. All data were pooled and examined on a case-by-case basis. No comparisons of discourse by political affiliation or discourse group were made; I discuss how such an analysis might be useful in future research in Chapter 5.

Data Analysis

Analysis of collected data was conducted in two cycles. The purpose of the first cycle was to organize the data through structural analysis, a grammatical step to introduce some initial organization to the data (Miles, Huberman, & Saldaña, 2014; Saldaña, 2016). In this cycle, all direct quotations from policy actors were extracted from the 600 sampled articles. Each quotation was then coded by the speaker's name and discourse

Table 4

Analysis Methods

<i>Element</i>	<i>First cycle: Structural coding</i>	<i>Second cycle: Pattern coding</i>
Analysis type	Provisional coding	Concept coding
Framework in use	N/A (coding direct quotes and paraphrasing by individuals)	Moral disengagement (Bandura, 1999)
Purpose	Construct a corpus of discourse from individual policy actors	Identify the descriptive elements of the proposed framework
Validation	Context expert review (Miles, Huberman, & Saldaña, 2014)	Contrary data, surprises, outliers, unpatterns (Miles, Huberman, & Saldaña, 2014) <i>Risks of Imperial Scholarship</i> (Delgado, 1984; 1992)

Note. References to methods and frameworks from Bandura, A., 1999, Moral disengagement in the perpetration of inhumanities, *Personality and Social Psychology Review*, 3(3), 193–209; Delgado, R., 1984, The imperial scholar: Reflections on a review of civil rights literature, *University of Pennsylvania Law Review*, 132(3), 561–578; Delgado, R., 1992, The imperial scholar revisited: How to marginalize outsider writing, ten years later, *University of Pennsylvania Law Review*, 140(4), 1349–1372; and Miles, M. B., Huberman, A. M., & Saldaña, J., 2014, *Qualitative data analysis: A methods sourcebook* (3rd ed.), Thousand Oaks, CA: SAGE.

category (politician, bureaucrat, journalist, educator, advocate). Speakers were also identified by race, since only white policy actors’ discourse was analyzed in this study.

In the second cycle, I identified evidence of the mechanisms of moral disengagement in the sampled discourse, according to *a priori* concept codes I derived from the framework of moral disengagement (Saldaña, 2016). Table 5 illustrates the coding framework I used.

Validation Procedures

I took careful steps throughout the data collection, analysis, and writing processes to protect the validity of my interpretations. I adhered to established protocols, outlined below, for maintaining the fidelity of my dataset, as well as the accuracy of my interpretations.

Table 5

Concept Codes: Moral Disengagement

<i>Locus</i>	<i>Parent node</i>	<i>Sub-nodes</i>	<i>Sub-node details</i>
Behavior	Moral, social, and economic justification	Defense against an opposing power	
		Response to humiliation or violence	
		Appeals to “true believer” ideologies	
	Palliative comparison	Uplifting comparison Lesser-of-two-evils Ends justify means Alternatives ineffective	
	Euphemistic labeling	Borrowed jargon Sanitizing or convoluted language Passive voice	
Agency	Diffusion of responsibility	Group decision making Division of labor Collective action	
	Displacement of responsibility	Direct authorization of another agent Obliging functionaries: Surreptitious sanctioning:	Duty to superior Personal responsibility Implicit agreements Insulating social arrangements Indirect authorization Willful ignorance
Outcome	Denial	Disputing Forgetting	
	Distortion	Minimization of harm Misconstrual of effects	
	Disregard	Ignoring Selective inattention Distance from action	
Victim	Victim blaming	Defense presented as instigation Self as victim Victim at fault:	Social conditions Cultural differences Stereotypes
	Dehumanization	Subhumanization Demonization Animalization Depersonalization:	Digitization Typecasting

Adapted from Bandura, A. (2016). *Moral disengagement: How people do harm and live with themselves*. New York, NY: Worth.

Data validation. Threats to qualitative data include incoherence, lack of representativeness, overgeneralization, confirmation bias, and researcher influences (Miles et al., 2014). To ensure my dataset was solid, I quantitatively analyze the balance of sampled discourse between individual policy actors, advocacy groups, government agencies, media outlets, and researchers (i.e., in terms of word count and excerpt count). This study design triangulated media coverage, political discourse, and policy documents. Each of these constituencies is a separate entity, producing discourse for a variety of audiences and purposes. All excerpts and texts were tagged by setting (time and space), participant (identities and associations), action (i.e., type of communication), and aims. These tags were based on the elements of van Dijk's (2016) context model.

Analysis validation. The process of qualitative analysis is based on chunking data by likeness and establishing categories and themes from those chunks. A risk of this focus on likeness is inattention to outliers. I brought a framework of a priori codes to this study. I included the codes *surprising*, *counterintuitive*, and *contrary evidence* in my initial code bank, to identify these data from the beginning and to monitor where they ended up in the ultimate analysis. I did identify some negative evidence (i.e., evidence of moral engagement or of color-consciousness), but there were few cases. I address how these affected my analysis below.

When the researcher is the instrument, bias threatens the findings that the instrument yields. Besides the preconceived theoretical frameworks from which my codes were drawn, there were political and racial considerations in a critical race policy analysis of education reform conducted by a white researcher. My political orientation is against neoliberalism, so many of the first premises of education reformists (e.g., market

logic, standardization, evaluation) are anathema to my philosophy of education. This stance is what motivates my critical scholarship. However, I do believe that the initial concept of charter schools as innovation labs has merit. I was a teacher in a charter school. I also believe in the nested centralization of education governance, particularly at the federal level. I support the Common Core. I have a host of contradictory political views that no doubt came into play when I analyze the political environment of education. All I can do is make them known and press on with my analysis, with the advice of experts and the guidance of critical peers. My whiteness, on the other hand, is another issue entirely.

According to Richard Delgado (1984, 1992), with the proliferation of Critical Race Theory has come the inevitable interest of white scholars in its tenets, methods, and values. There is, I believe, a fine line between white critical race scholarship and white colonization or cooptation of critical race scholarship. I intend to make every effort to avoid the latter in this study, as well as in my career as a researcher of education and race. Delgado (1992) offered several considerations for white scholars, based on a review of legal literature on civil rights by the most popular and well-regarded civil rights legal scholars (all white; 1984). He found that they tended to misrepresent scholarship from scholars of color, coopt their conclusions, perfunctorily cite their work, simplify and patronize their perspectives, and marginalize them in favor of later (often white) scholars who drew from them. To avoid these acts of dominance, I will review both my analysis and my writing with the following questions:

- Have I over-simplified, caricatured, or romanticized the perspectives of people of color?

- Do I assimilate or coopt the perspectives of people of color?
- Have I cited previous theoretical and empirical works by scholars of color?
- Have I drawn deeply from their work or only cited seminal texts, or from only early sections of studies?
- Have I over-relied on derivative scholars, instead of the canonical works from whence their ideas came?

Accuracy and Trustworthiness of Analysis

In addition to extensive analytic memoing (Miles et al., 2014) during my analysis, I utilized two post-analytical validation strategies to strengthen my findings: data triangulation (Leech & Onwuegbuzie, 2007) and expert review/peer debriefing (Spall, 1998). The distribution of examples of morally disengaging discourse from the individual to the institutional levels suggests the depth of its hegemonic influence, from its utterance in the discourse of policy actors to its instantiation in policy and law. I found that each of the eight mechanisms of moral disengagement (justification, euphemism, comparison, diffusion, displacement, dismissal, blame, and dehumanization) was evident at all three levels of discourse. In addition, I presented my findings to experts on applied critical race theory, on education politics in Little Rock, and on critical discourse analysis, for review. In the sections that follow, I explain how these two validation strategies strengthen the validity of my interpretations of individual-level discourse.

Data triangulation. At the micro-level, the discourse of individuals is most likely to reveal ideology at the sub- or unconscious level, where Lawrence (1995) might claim the purest manifestations of subconscious ideology can be found. Micro-level discourse reveals the breadth of a particular ideology, as exhibited in a person's speech, across the

policy actor population (van Dijk, 2008). I identified widespread use of the mechanisms of moral disengagement in individual-level discourse. To strengthen this identification, I also examined the extent to which individual-level discourse of moral disengagement survived collective deliberation and institutional instantiation in both organizational-level speech, law, and policy.

Organizational level. At the meso-level, the discourse of autonomous groups, such as media, professional organizations, and advocacy groups reveals the nature of ideology at the collective level, where speech is typically the result of cooperation and negotiation between individuals (van Dijk, 1989). Because of the more deliberate nature of organizational discourse, it may be considered more purposeful and less vulnerable to misstatement. Because of this, it can potentially reveal the penetration or depth of a particular ideology in the cognitive structures of individuals, since evidence of it may survive deliberation and compromise with others before speech is “uttered” or published. In this study, some groups were frequently represented by individuals in the news media from which I sampled discourse. To avoid duplication, I did not include them at the organizational level.

Institutional level. At the macro-level, the discourse of elected and appointed bodies, including policies, laws, and legal opinions reveals the degree to which the discourse of moral disengagement is instantiated in public institutions with palpable control over the lives of people. Whereas organizations influence individuals and institutions, institutions control individuals (van Dijk, 2006a). Laws and judicial opinions emerge from highly deliberative bodies whose discourse either (a) responds to immense pressure from the voting public and from interest groups, or (b) relies on judicial

precedent and established legal logic (especially at the state and appellate levels, where the cases in this study were decided). I did not identify examples of all eight mechanisms in my sampled discourse at the institutional level, but the manifestations of moral disengagement I did find substantiate the interpretations of individual-level discourse of moral disengagement.

Expert review and peer debriefing. To further validate my interpretation of policy actors' discourse, I presented examples of my interpretations, along with definitions of the eight mechanisms of moral disengagement, to peer debriefers for their feedback and suggestions. These were (a) a practicing attorney in Little Rock with experience in desegregation litigation and knowledge of critical race theory, (b) an elite Black policy actor in Little Rock whose discourse was not included in the sampled discourse in this study (because only white policy actors were included), and (c) a qualitative researcher with a background in critical discourse analysis. As a result of their feedback, I corrected biases in my own representations of Black families, selected stronger and clearer excerpts to use in my illustrations, and identified connections between the moral disengagement framework and the critical race theory of unconscious racism that had not been initially apparent to me. I elaborate on these in Chapter 5.

The trustworthiness of my conclusion that moral disengagement mechanisms were deployed by white policy actors in the takeover is strengthened by the breadth of their manifestations across policy actor groups and at the individual, organizational, and institutional levels of discourse. This was a study of individual-level discourse, so my analysis of organizational- an institutional-level discourse was not as deep as that of the individuals. Deeper consideration of the trustworthiness of meso- and macro-level

discourse would require validation with a sample of individual-level discourse from more contexts than just the LRSD. For instance, the organizations I sampled (Arkansas Learns, Forward Arkansas, and the University of Arkansas Office for Education Policy) each have a statewide audience. Analysis of their discourse on its own would ideally be validated by sampled individual-level discourse from cities and counties across the state, from more types of individuals than just white policy actors, and concerning more issues than just state takeover.

In the next chapter, I discuss my findings. I preface these findings with two sections whose purpose arose during the study: (a) a section outlining the specific harms at the center of the takeover, and (b) a critical race analysis of *Doe v. DOE*. I discuss the specific harms that accompanied the takeover with evidence from individual-level discourse in Little Rock, and I connect these policy goals to research on the outcomes of those policy goals in other similar contexts. This was necessary to warrant my initial assumption that the takeover was, itself, a harmful act with respect to Black students and families. The critical race analysis of the *Doe* opinion arose when, during my discourse analysis of the opinion, I discovered the Court had cited as precedent the very cases on which Charles Lawrence had based his theory of unconscious racism, *Washington v. Davis* (1976) and *Arlington Heights v. MHDC* (1979), as well as the two decisions concerning plausibility of discriminatory intent that have been a central focus in the legal literature related to unconscious racism, *Bell Atlantic Corporation v. Twombly* (2007) and *Ashcroft v. Iqbal* (2009). After these initial analyses, I discuss my findings from the discourse.

CHAPTER FOUR

Findings

Recall that this is a study of moral disengagement in the discourse of elite white education policy actors in Little Rock, Arkansas, in the wake of the 2015 state takeover of Little Rock School District (LRSD). In January of 2015, the majority white Arkansas Board of Education voted 5-4 to dissolve the majority Black Little Rock School Board, transferring control of the district to the state. The justification for this takeover was that 6 of 48 schools in Little Rock were classified by the state as in “academic distress,” a designation codified by law for schools in which over 50% of students score below proficiency on state-administered annual assessments. I analyzed the discourse of elite white policy actors related to this takeover.

This study is also a conceptual inquiry of the fit of the theory of moral disengagement (Bandura, 2016) with the critical race theory (CRT) of unconscious racism (Lawrence, 1995). Critical race theorists in education assert that (a) race is endemic to U.S. society but undertheorized in studies of education (Ladson-Billings & Tate, 1995), and (b) critical race studies should cross epistemological boundaries to more completely observe the social, cultural, and psychological extent of racism’s permeation of education (Tate, 1997). To that end, the guiding question and two subsequent supporting questions for this study were as follows:

RQ1. To what extent is Bandura’s theory of moral disengagement applicable in cases implicated by Lawrence’s theory of unconscious racism?

RQ1a. How is the case of the state takeover of Little Rock School District a case of unconscious racism?

RQ1b. What mechanisms of *moral disengagement* are evident in the discourse of the takeover?

I will explore the two supporting questions in this chapter and will engage with the primary question in the next.

What Harmful Acts Do These Discourses Concern?

I identified over two dozen different conversations, or discourse concerning distinct and specific actions, in the sampled discourse related to state takeover. These conversations ranged from discussions of specific bills before the General Assembly, to actions of the state Board of Education, to individual school performance, to the state takeover itself. Although all conversations were related to the state takeover (because the word “takeover” was one of the search terms I used to arrive at a sample of newspaper articles), through a process of emergent analysis, I identified within these conversations four major themes: (a) improvement, which concerned system-wide and school-specific improvement planning and initiatives; (b) school choice, which concerned charter schools and vouchers; (c) community, which concerned zoning, school closure, and school construction; and (d) administration, which concerned the takeover and subsequent appointments and administrative decisions in its wake. The specific policy actions at the core of each of these discourses are associated with an array of racially disparate, marginalizing outcomes. These associated harms are not fixed or exclusive to a particular order of discourse. Rather, I have used the predominant effects of the acts within an order of discourse as an organizing element to discuss the varied harms of these policies. These

outcomes are the reason morally disengaging rhetoric would be necessary among policy actors—because approving of these policies requires not only self-exoneration on

Table 6

Orders of Discourse and Associated Harms

Order of discourse (conversations)	Associated harms
<i>Improvement</i> (academic performance)	Meritocracy (white norms as standard; asserted objectivity of curriculum and processes) Marketization (policy by supply and demand; focus on efficiency)
<i>School choice</i> (charter schools, vouchers)	Resegregation (increased concentration of Black students in schools; separation of students in district by race) Privatization (transfer of public funds to private school management organizations)
<i>Community</i> (zoning, closure, construction)	Discrimination (preference for whites in construction; closure of schools in Black communities; gerrymandered attendance zones)
<i>Administration</i> (governance, representation)	Disfranchisement (elimination of representation for Black majority; denial of public input)

the part of the policy actors, but approval of the policies by the public, even in the face of known negative consequences. In the sections that follow, I connect these four themes with four associated types of negative impact: (a) meritocracy and marketization, (b) resegregation and privatization of schools, (c) discrimination against Black students and families, and (d) disfranchisement of the Black majority in the LRSD.

Discourse on improvement. Discourses on improvement concerned school improvement strategies, broader system improvement approaches, responses to the looming loss of state desegregation funding in 2017, and accountability mechanisms.

Specific actions discussed in reform conversations are as follows:

1. *Creation of Forward Arkansas, a public-private partnership between the state board and the Walton Family Foundation (WFF), to plan statewide reforms* [Howell, DG, Jan. 28, 2015]. The WFF is one of the nation’s leading funders

of new charter schools, and their influence over Arkansas education policymaking is substantial (Brantley, 2016a, 2016b). Through Forward Arkansas, their policy agenda is legitimized by its association with state officials and more progressive members of the partnership.

2. *Reconstitution of staff, merit pay for teachers, and other data-driven turnaround initiatives at schools in academic distress* [Howell, DG, Jun. 24, 2015]. Performance-based pay for teachers and performance-based funding of schools—even a proposal to tie Title I and other funds to performance—is associated with curriculum narrowing and testing preparation to produce greater gains on state assessments (Au, 2016; Berliner, 2011).
3. *Cutting employee pay and benefits to save district money, and eliminating collective bargaining for working conditions* [Hardy, AT, Aug. 9, 2015]. The disfranchisement of teachers and the destruction of protections cause effective teachers to seek employment in other districts and both are associated with lower performance and morale among those teachers who remain (Borman & Dowling, 2008).
4. *Hiring Teach For America (TFA) teachers in district schools* [Howell, DG, Jan. 28, 2016]. TFA teachers have not been associated with positive achievement outcomes in schools to any greater degree than non-TFA teachers (Darling-Hammond, Holtzman, Gatlin, & Heilig, 2005). Their inexperience in the classroom and low cost to districts make them attractive for schools in need of a compliant workforce (Brewer, Kretchmar, Sondel, & Ishmael, 2016), but their tendency to remain in the job for two years or less

creates instability and lower teacher morale in the schools they leave behind (Heilig & Jez, 2014).

5. *Changing statewide assessments three times in three years, from the long-used ACTAAP in 2014, to PARCC in 2015, and the ACT Aspire for 2016* [Howell, DG, Jul. 30, 2015]. Results of the ACTAAP were used to rationalize takeover, even after the state had begun teaching to the Common Core, with which the ACTAAP did not align. In switching to two different tests in two years, student performance reflected two consecutive years of implementation dip associated with the first year of newly adopted programs (Herold, Fedor, Caldwell, & Liu, 2008). Recall from Chapter 1 that these dips were more extreme, and recovery was less robust, for Black students.

Meritocracy and marketization. The harm to Black students at the center of the discourse on improvement is in the construction of an educational meritocracy and in the marketization of aspects of public education. Meritocracy, or the rewarding of performance by normed standards, is potentially detrimental to the education of Black students because it subjects them, their teachers, and their schools to the curricular and performance norms established for white, affluent students (Au, 2016). Marketization, or the application of private sector logic (e.g., profit, efficiency, competition, ranking) to public sector institutions and processes, is potentially marginalizing to students from minoritized groups, even when they are in the majority. Efficiency and profits are more difficult in urban schools that serve communities with high need, where costs of operation are higher (Adamson & Darling-Hammond, 2012), the tax base is lower (Smith & Stovall, 2008), and more services are needed in schools (Alemán, 2007); yet these

schools are still held to funding and achievement standards set by suburban districts with larger tax bases and where fewer targeted programs are needed.

Discourse on school choice. Discourses on school choice concerned the renewal and expansion of charter schools, as well as the mandate for and funding of choice transfer options for parents. Specific actions discussed in reform conversations included the following:

1. *Expansion of enrollment at LiSA Academy* [Howell, DG, Sep. 28, 2015] *and eStem Public Charter School* [Howell, DG, Oct. 7, 2015]. These expansions eventually passed the state board over the objections of the state-appointed superintendent of LRSD, creating openings for thousands more students from the district to transfer to charter schools, taking with them the state per-pupil funding that previously went to their schools and the LRSD. Additionally, these two schools have disproportionately high numbers of white students and disproportionately low numbers of students with special needs and who qualify for free or reduced-price lunches compared to LRSD schools (i.e., the state's proxy for poverty in schools; Brantley, 2016a).
2. *Construction of new eStem charter high school on the campus of UALR* [Hardy, AT, Oct. 22, 2015]. The state board approved the first partnership of its kind between the city's largest institution of higher education and a K-12 school. The university is a public institution, but such partnerships with the public schools were never previously pursued.
3. *Establishing education savings accounts (vouchers) with state money for parents to pay tuition at private schools* [Caputo, AT, Feb. 2, 2015]. This bill,

HB 1222, failed in the House, but its intent was to provide parents with state money to pay tuition at private schools.

4. *Requiring public schools to sell or lease under-utilized buildings to charter schools* [Hardy, AT, Apr. 13, 2015]. A bill proposed to identify under-enrolled schools that were not using all classrooms or other spaces in their buildings. This bill passed and was signed into law by Governor Hutchinson. It gave charter schools the power to compel public districts and schools to sell or lease their facilities to charter schools, even if they were still in use.
5. *Exempt charter management organizations from FOIA* [Hardy, AT, Mar. 27, 2015]. A bill to require charter management organizations (CMOs) to comply with FOIA requests, HB1605, failed a House vote in 2015, allowing charter schools to continue to operate without transparency, specifically pertaining to the consulting contracts and other services they paid for with state funds.

Resegregation and privatization. The harm to Black students at the center of the discourse on school choice is in the resegregation of public schools and privatization of schooling. Resegregation occurs as more affluent white families opt out of their zoned schools and send their children to charter or private schools, increasing the disproportionality at the district school. Privatization is the diversion of public funds to private entities, such as CMOs, for education, and the contracting of private firms for various educational services (e.g., counseling, tutoring, special education, transportation, professional development)—per-pupil state funding leaves the public school and follows the student to the charter school (Jabbar, 2015; Scott, 2009). The result is that public schools are serving increasingly disproportionate numbers of high-need students with less

state funding. Enrolling in a charter school requires an application, parent-provided transportation (charters are not served by the LRSD bus system), and agreement to academic and behavioral expectations (e.g., zero tolerance discipline, before- and after-school tutoring, special education waivers). Factors such as these allow typical charters to claim random enrollment by lottery while effectively skimming high-performing students who have parents of means from the pool of students (Bifulco & Ladd, 2007; Buras, 2011; Waitoller, Super, & Super, 2017).

Discourse on community. Discourses on community concerned segregation of schools, construction of new schools, and closing of schools. Specific actions discussed in reform conversations included the following:

1. *Use of state desegregation funds to finance construction of a new middle school in a predominantly white, affluent neighborhood* [Howell, DG, Feb. 6, 2016]. The zone for the school would draw, at least at first, a majority Black student body, but attorneys for students in another decaying and majority Black middle school requested they be rezoned for the new school as well; this request was denied by Judge Price Marshall [Howell, DG, Mar. 24, 2016].
2. *Combining LRSD and Pulaski County Special School District (PCSSD)* [Musa, DG, May 14, 2015]. North of the Arkansas River, municipalities have started breaking from the PCSSD to create their own smaller districts. South of the river, PCSSD includes the predominantly (though not exclusively) white and affluent West Little Rock, while LRSD includes the predominantly lower-income Black and Brown communities of central and Southwest Little

Rock. The boundaries between the two districts have been the focus of desegregation litigation for several decades.

3. *Broadening the base of parents and families drawn to LRSD to include whiter, more affluent students* [Musa, DG, May 14, 2015]. Dubbed broadening “communities of interest” by state-appointed Superintendent Baker Kurrus, policy actors tie the survival of the city and the growth of business to the interest of affluent white families in moving to Little Rock, which is dependent on school options for their children. This construal of the purpose of the school district (i.e., to recruit new white families) neglects the improvement and renewal needed for schools serving Black and Brown families who already live in Little Rock.
4. *Construction of new high school in predominantly Black and Brown neighborhood in SWLR* [Howell, DG, Aug. 14, 2015]. This topic has been frequently mentioned in discussions of new constructions in predominantly white and affluent West Little Rock. An illustration of the critical race principle of interest convergence (i.e., advancement of Black and Brown interests only in conjunction with advances in white interests), construction of a new school in SWLR was approved at the same time as construction of a new middle school in WLR in district-level discussions, and at the same time as charter expansion in state-level discussions.
5. *Closing schools in Black neighborhoods* [Howell, DG, Apr. 14, 2015; Nov. 4, 2015]. In response to the loss of state desegregation funds, district leaders

proposed consolidating smaller elementary schools that were under-enrolled due to competition from charter schools located in other parts of the city.

6. *Renewal of Covenant Keepers charter despite its being in academic distress* [Howell, DG, Apr. 16, 2015]. This decision by the state board extended flexibility to a school in the same situation, and serving a similar demographic, as the six LRSD schools the state board used as examples to rationalize taking over LRSD.

Discrimination and white preference. The harm to Black students at the center of the discourse on race and equity is in discrimination and racial preference embedded into education policy. Discrimination, or the creation of separate options or systems based on geographic boundaries, or ability to pay for transportation, is harmful to Black students because the models through which those opportunities and systems are resourced (e.g., property tax revenue, standardized per-pupil funding rates) typically favor white students and disfavor Black students to a disproportionate degree (Alemán, 2007; Glen, 2009). White preference is the prioritizing of white students and families over Black and Brown students and families. This occurs when, instead of improving existing schools, policy actors opt to charter new privately-operated schools to provide choice options for white parents (Buras, 2011). Such policies contribute to the crisis narrative and cycle of blame in public schools, in which public school performance is blamed on teachers (Slater, 2015), in spite of other glaring disparities in facilities, funding, and student demographics when compared with charter schools (Brantley, 2016a).

Discourse on administration and governance. The discourse on administration and governance concerned the state Board of Education's vote to dissolve the LRSD

Board and transfer control of the district to the state commissioner, and the subsequent series of related appointments, firings, and other administrative decisions and policies.

Specific actions discussed in takeover conversations were as follows:

1. *Dissolution of the school board and transfer of district governance to the state commissioner* [Hardy, AT, Jan. 28, 2015]. This vote of a majority white Board of Education nullified the elections in which the voters of Little Rock selected the leadership of the majority Black school district, replacing a majority Black school board with a single white commissioner appointed by the white governor.
2. *Appointment of Johnny Key as state commissioner by Governor Hutchinson* [Howell, DG, Mar. 26, 2015]. Hutchinson, a white Republican governor who lost in Little Rock by 20,000 votes (Arkansas Election Results, 2014), appointed Key, a white former Republican state senator from northern Arkansas with no experience in public education. Key ran a private home-schooling firm.
3. *Appointment and firing of Baker Kurrus as LRSD superintendent by Commissioner Key, acting as the LRSD school board.* [Brantley, AT, Apr. 18, 2016]. Key appointed Kurrus, a former white LRSD board member, to be superintendent without consulting the public. Kurrus was an attorney with no experience in education, and the General Assembly had to change state law to allow someone with no education experience to serve as superintendent. After winning broad support—including from his detractors—during his 10-month tenure, he was fired after a presentation to the state board on how expansion

of charter enrollment in Little Rock harms the district. His firing was met with enormous public opposition.

4. *Creation and dissolution of Civic Advisory Committee (CAC) by Commissioner Key* [Brantley, AT, Feb. 12, 2015]. Key appointed this committee, and its membership was split evenly between Black and white members, meaning Black residents held a disproportionately small number of representatives. The CAC held no official power but was merely a sounding board for the superintendent. It was disbanded shortly after issuing a statement calling for Key's resignation.
5. *Creation of Achievement School District* [Musa & Howell, DG, Mar. 10, 2015]. This bill, HB 1733, failed in the House due in large part to massive demonstrations of teachers and community members inside the state capitol building. It would have allowed the state commissioner to contract private firms to operate schools and districts in state takeover, as well as granted those firms waivers from compliance with teacher employment protections and other state education policies.
6. *Replacement of CAC with Community Advisory Board (CAB)* [Howell, DG, Jun. 22, 2016]. Key also appointed the members of this new advisory body, which, like the CAC, was merely a consultative group with no official power. Its makeup was also evenly divided between Black and white members, again denying Blacks the majority.
7. *Appointment of Michael Poore* [Brantley, AT, Apr. 18, 2016]. Key's appointment of Poore, the white superintendent at Bentonville (international

headquarters of Walmart), to the superintendency in Little Rock was, like his appointment of Kurrus, carried out without consultation with the community.

Disfranchisement of Black majority. The harm to Black students at the center of the discourse on takeover is in disfranchisement of the Black majority in Little Rock. Disfranchisement is the removal of representation of groups or individuals and the dismissal of the democratic processes through which individuals or groups exercise control of the government. In Little Rock, despite having a Black majority for decades, the school district did not elect its first Black majority school board until 2006 (LRSD has first Black majority, 2006). In 2013, the General Assembly lowered the criteria for state takeover to 50% proficiency. Disfranchisement is, *prima facie*, a harm to Black communities, regardless of the outcomes that result (Stovall, 2013).

RQ1a: Is the CRT principle of unconscious racism invoked in or relevant to the case of the state takeover of Little Rock School District?

Unconscious Racism and Discriminatory Intent

In order to investigate the applicability of Lawrence's (1995) theory of unconscious racism to the Little Rock case, I undertook a critical race analysis of the state takeover, focused on the opinion in *Doe* (2016). Reporting the findings of such an analysis is different from reporting the findings of a pure quantitative or qualitative study, in which data are presented without commentary, and analysis is reserved for discussion later. Critical race analyses are inherently interpretive undertakings that "impose order on experience" (Ladson-Billings & Tate, 1995, p. 57), so there is enough discussion in this section to make clear why a conceptual or theoretical finding is a finding. Further discussion and consideration of implications is reserved for Chapter 5.

After the takeover, two lawsuits were filed in opposition. First, displaced members of the school board sued the State of Arkansas and the Department of Education [*Curry v. Key* (No. cv-15-224, 2015 Ark. 392, Ark. 2015)] on the grounds that the state overstepped its legal authority by dissolving the school board. Next, district parents sued the Department of Education [*Doe v. DOE* (No. 4:15-cv-623, 2016 U.S. Dist. Lexis 135265, at *1, E.D. Ark. 2016)] for discrimination against Black students, teachers, and families. *Curry v. Key* (2015) was dismissed by the Arkansas Supreme Court on the grounds that in the case of takeover, which was a constitutionally permitted course of action, the state possesses sovereign immunity and cannot be sued. *Doe v. DOE* (2016) was also dismissed in U.S. District Court on the grounds that its discrimination claims were not plausible. The plausibility standard cited in the opinion arose from (a) the discriminatory intent requirement of *Washington v. Davis* (1976) and *Arlington Heights v. Metropolitan Housing Development Corporation* (1977), (b) the plausibility standard of *Bell Atlantic v. Twombly* (2007), and (c) the liability of public officials for the discriminatory effects of policies and subordinates from *Ashcroft v. Iqbal* (2009). It is the Marshall opinion in *Doe v. DOE* (2016) that makes the takeover of LRSD a fruitful case for consideration of Lawrence's (1995) theory of unconscious racism, because it is grounded in the same case law (i.e., *Washington v. Davis* [1976] and *Arlington Heights v. Metropolitan Housing Development Corporation* [1977]) that Lawrence (1995b) invoked in his seminal article on unconscious racism.

Discriminatory intent. The *Doe* (2016) opinion identified three specific actions on the part of the State of Arkansas at the center of the Plaintiffs' case: the expansion of charter schools, the oversight of federal funding, and the takeover of the district. But the

majority of the opinion is focused on the takeover itself. The precedent set by the U.S. Supreme Court in the *Davis* and *Arlington* decisions was that discriminatory impact or disparate effects are necessary but not sufficient to warrant strict scrutiny by the court for violations of the Equal Protection Clause of the 14th Amendment. It is also necessary to prove discriminatory intent. Judge Price Marshall, in the 2016 *Doe v. DOE* case, acknowledged disparate impact:

And there's no real question about disproportionate effect: more than 65% of LRSD students are black; a majority of the dissolved Board was black; and the students at the growing charter schools in Little Rock are (to generalize) whiter and wealthier than LRSD's students. But the settled precedent is clear; discriminatory effects alone are insufficient to show discriminatory intentions. (*Doe*, 2016, E. D. Ark., No. 3, ¶ 4)

Marshall also acknowledged that intent is difficult to identify given the more implicit nature of contemporary racism, and he proposed other ostensibly objective methods for identifying discriminatory intent, taken from the *Arlington* decision:

How does this motivation appear, given that it's now rarely explicit? Often in the combined light of several circumstances: whether an action burdens one race more than another; the history behind it; the specific events leading up to it, including any break from normal procedure; and the action's legislative or administrative history. (*Doe*, 2016, E. D. Ark., No. 3, ¶ 3)

Citing the *Arlington* decision, the Court directly quoted the definition of discrimination from *Personnel Administrator of Massachusetts v. Feeney* (1979):

Discriminatory purpose...implies more than intent as volition or intent as awareness of consequences. It implies that [the Department and the State Board] selected or reaffirmed a particular course of action at least in part because of, not merely in spite of, its adverse effects upon [black people]. (*Doe*, 2016, E. D. Ark., No. 3, ¶ 3)

This is an example of what Lawrence (1995a) calls a “false dichotomy” (p. 237), in which there are only two kinds of discriminatory act: (a) intentional acts, which are unconstitutional, and (b) unintentional acts, which are constitutional. From a critical race perspective, the Court’s dependence in *Doe* on the *Feeney* definition of discrimination, quoted above, does not acknowledge the potential for “unconscious racial motivation” (Lawrence, 1995a, p. 237) to have played a role in the takeover of LRSD or in the pursuit of other takeover-related reforms (e.g., school choice and charter schools). The Court acknowledged the potential for less-than-explicit indications of discriminatory intent and identified some possible places to look for such examples. Again, the Court looked to the *Arlington* decision for guidance, and identified (a) the racial effects of takeover, (b) the history of the district, and (c) administrative norms in the case, as potential clues.

Racial effect. The Court’s judgment of the Plaintiffs’ claim of disproportionate impact is that any action taken in Little Rock would, because of Little Rock’s disproportionately Black population, impact more Black people than white people:

The State’s actions affect Little Rock’s black population—students, teachers, parents, former school board members—more than the city’s white population. That’s math. Most of LRSD’s students are black, so if the State takes over the District, runs it poorly, and allows more competing charters to siphon the white

students and public money from LRSD schools, all that burdens blacks more heavily than whites. But the racial effects here aren't "unexplainable on grounds other than race [discrimination]." *Village of Arlington Heights*, 429 U.S. at 266. They're explainable by the math: no matter what motivated the State to takeover LRSD, the effect would be felt more by black citizens than white citizens, because the District touches more blacks than whites. This isn't one of those rare cases, then, where racially unbalanced effects reveal racial discrimination. (*Doe*, 2016, E. D. Ark., No. 3, ¶ 5)

The Court invoked *Arlington* to claim that, as long as any other possible explanation for disparate impact exists (the use of the double negative phrasing, "aren't 'unexplainable on grounds other than race'" is confusing), discriminatory intent can be dismissed.

Interestingly, the opinion does not invoke the plausibility standard for these hypothetical alternative explanations. Additionally, the Court's aside that the existence of more charters would "siphon white students and public money from LRSD schools" contradicts the Court's own logic that any action in LRSD would disproportionately affect Black people. Should not a racially neutral charter sector siphon white and Black students proportional to their makeup of the total district population? From a critical race perspective, if charter schools are "siphoning" more white students than Black students from the majority Black public district, then charter schools are a discriminating force regardless of the impact on remaining district students. The Court appears to accidentally acknowledge this yet concludes that racial discrimination in the case is only possible, not plausible.

History of the case. The Court concluded that, despite a history of racially marginalizing education policy in Little Rock, discriminatory intent in the case of takeover was only possible, not plausible:

The State Board seized the opportunity, Plaintiffs say, because its members wanted to discriminate against the District’s black citizens—the implication is that the State Board had no intention of improving LRSD and returning it to local control. And here the charter angle matters. The State Board took over an allegedly failing LRSD and then allowed charters to continue to deplete its white students and public money. Charter proponents like Vicki Saviers, moreover, were among those itching for a takeover. This history, though, suggests only possible, rather than plausible, racial discrimination. It is equally consistent with a group of citizens with strong policy views—less public involvement and more private control—wanting a turn at putting their views into practice. (*Doe*, 2016, E. D. Ark., No. 3, ¶ 6)

Besides the arguably arbitrary distinction, in the mind of a Southern white judge, between “possible” and “plausible,” the above assertion by the Court seeks explicit proof of discriminatory intent in political discourse. A critical race reading of this expectation is that it is futile: “There will be no evidence of self-conscious racism where the actors...have learned racist attitudes and beliefs through tacit rather than explicit lessons” (Lawrence, 1995a, p. 241). In other words, the language of racism in American politics is often no longer explicit, but implicit. From Lawrence’s (1995a) perspective, the expectation that discriminatory intent will be blatant enough to tip the scales from possible to plausible is misguided.

Departures from norms. The *Arlington* decision identified administrative irregularities as a potential signal of discriminatory intent. In the Little Rock case, there were several, including the hiring of a state Commissioner and district Superintendent with no experience in educational administration, failure to follow through on standard communication procedures with the legislature leading up to and after the takeover, and others. The Court, however, granted significant leeway to the State's unusual behavior:

The takeover wasn't graceful or perfect. Bureaucracies always lumber along. But the deviations Plaintiffs raise don't make a racial motive plausible. The Board seems to have followed the proper administrative course, for example, in passing emergency regulations and following up with final ones. Who knows why the Department issued two notices of academic distress and let one of them go. And only time will tell whether Key and Kurrus were the right people for the Commissioner's and Superintendent's slots notwithstanding the absence of usual qualifications. But the State Board's actions as alleged aren't so outside the ordinary course that they plausibly suggest an unconstitutional motive. (*Doe*, 2016, E. D. Ark., No. 3, ¶ 10)

Even after considering the above abnormalities in the case, the Court stated there were not enough facts to "raise a reasonable expectation that discovery will reveal evidence of illegal discrimination" (*Doe*, 2016, E. D. Ark., No. 3, ¶ 2).

Plausibility. The precedent in *Twombly* (2007) was that, in order to avoid costly litigation involving major corporations, motions to dismiss could succeed if, judging from the facts in the case, wrongdoing is only possible, not plausible. The accusation at the center of *Twombly* was of collusion between business competitors, but its plausibility

standard was applied in *Iqbal* (2009) to establish that public officials bore no culpability for policies and actions that result in discriminatory impact if discriminatory intent is not plausible. In the Little Rock case, the Court cited the costs of a trial in the *Doe* opinion:

The time-and-money point is powerful in this case; the Pulaski County school desegregation case teaches that constitutional litigation involving LRSD and the State can last decades and cost millions. It's therefore important that this case contain plausible claims against the State Defendants before we start down another similar road. That's among the reasons why a "mere possibility" of racial discrimination isn't enough. And it suggests what the Supreme Court has made explicit: that the plausibility/possibility line is found in part through judicial experience and common sense. (*Doe*, 2016, E. D. Ark., No. 3, ¶ 2)

With both the discriminatory intent requirement and the plausibility standard applied, what the Court needs is proof. Lawrence (1995a) stated that such proof would not come in the form of explicit language, but in the use of ostensibly benign language, the reliance on tacit cultural stereotypes and assumptions, and the subconscious use of "selective indifference" (p. 244). From a critical race standpoint, contemporary evidence of plausible discriminatory intent is impossible to prove, because its implicit nature renders it inadmissible. In other words, the evidentiary rigor for discrimination cases to survive a motion to dismiss is too strong for all but the most extreme, blatant instances of discrimination.

Importantly, the Court acknowledged evidence of discriminatory impact, identified departures from administrative norms, pointed to links between members of the

state board and reformist lobbyists, and alluded to the fraught history of race and education policy in Little Rock. Still, it was not sufficient:

What's missing are pleaded *facts* that show the intent to discriminate based on race, facts that show foul thoughts becoming harmful actions.... Letting a doubtful case proceed is often the better course, but not where the governing law is clear and all the facts simply do not measure up. At the threshold, Plaintiffs haven't offered enough facts showing a plausible racial motivation behind any of the challenged decisions. (*Doe*, 2016, E. D. Ark., No. 1, ¶ 5)

What Lawrence (1995a) proposed in his critical race theoretical approach to racist intent was the existence of a psychological “defense mechanism against the guilt and anxiety of those who hold power and privilege through means and with motives that they cannot acknowledge” (p. 254). The above analyses demonstrate the applicability of Lawrence’s (1995a) theory of unconscious racism to the Little Rock case. What remains to be demonstrated is whether there is also evidence of the rhetoric of moral disengagement in the policy discourse surrounding the case.

RQ1b: Are the mechanisms of moral disengagement evident in the takeover discourse of white education policy actors in Little Rock?

Moral Disengagement

Bandura’s (2016) categories of moral disengagement strategies are aimed at four levels of harm: (a) the *behavioral locus*, which concerns the harmful act itself; (b) the *agency locus*, which concerns responsibility for the behavior; (c) the *outcome locus*, which concerns the harm that resulted from the behavior; and (d) the *victim locus*, which concerns the recipients of that harm. I explored examples of each of the eight moral

disengagement strategies, in each of the four loci, in the takeover discourse among all five policy actor groups (i.e., journalists, bureaucrats, politicians, advocates, educators). Each mechanism is comprised of sub-mechanisms, which are identified in the tables I have included within each section. Sub-mechanisms may be considered facets of a mechanism, or the variety of ways in which a mechanism might be utilized. The sub-mechanisms identified here are from Bandura's (1999) previous work but are not intended to be an exhaustive list of the myriad ways in which a moral disengagement mechanism might be deployed. In the tables in each section, I report the number of unique policy actors who utilized a given mechanism or sub-mechanism, at the individual, organizational, and institutional levels. In most cases, the excerpts I discuss at length below are from individual-level discourse, since that is the focus of my research questions.

Behavior locus. Behaviors at the center of takeover discourse include the actual taking over of the district, dissolving the school board, firing the superintendent, expanding charter enrollment, closing schools, and building schools. Each of these actions has either been associated with negative outcomes for, or is itself disfranchising of, Black students, families, and communities. Recall from Chapter 2 that state takeover of majority-Black or Brown districts is frequently disfranchising, especially when there is no mechanism for community input in district-level decision making (Morel, 2016). In the case of Little Rock, state board members specifically stated that the state-appointed Civic Advisory Committee that took the place of the school board was not a decision-making body, but more of a “booster club or public relations group” [Zook, DG, Sep. 11, 2015]. School choice initiatives such as vouchers and charter schools also have a

Table 7

Framework of Moral Disengagement

Locus	Parent node	Sub-nodes	Sub-node details
Behavior	Moral, social, and economic justification	Defense against an opposing power	
		Response to humiliation or violence	
		Appeals to “true believer” ideologies	
	Palliative comparison	Uplifting comparison Lesser-of-two-evils Ends justify means Alternatives ineffective	
	Euphemistic labeling	Borrowed jargon Sanitizing or convoluted language Passive voice	
Agency	Diffusion of responsibility	Group decision making Division of labor Collective action	
	Displacement of responsibility	Direct authorization of another agent	
		Obliging functionaries: Surreptitious sanctioning:	Duty to superior Personal responsibility Implicit agreements Insulating social arrangements Indirect authorization Willful ignorance
Outcome	Denial	Disputing Forgetting	
	Distortion	Minimization of harm Misconstrual of effects	
	Disregard	Ignoring Selective inattention	
		Distance from action	
Victim	Victim blaming	Defense presented as instigation	
		Self as victim	
		Victim at fault:	Social conditions Cultural differences Stereotypes
	Dehumanization	Subhumanization Demonization Animalization Depersonalization:	Digitization Typecasting

Adapted from Bandura, A., 2016, *Moral disengagement: How people do harm and live with themselves*, New York, NY: Worth.

disproportionately negative impact on Black communities; as more affluent, frequently white, families move their children to charter schools or voucher-funded private schools, public schools are drained of enrollment-based state funding and racial segregation increases (Bifulco & Ladd, 2007). When affluent families (who are the minority), whether white or Black, move their children to charter schools from the public school system, which serves a majority Black and majority low- and lower middle-income group, this has a disproportionately negative effect on Black communities, the vast majority of whose children are in the public schools. Discussion of state takeover, school choice and charter expansion, and school closure and construction in Little Rock, therefore occurs with knowledge of the racially disparate impacts of such policies (or at the very least, the opposition of the Black community in Little Rock to such policies). Supposed equality-minded policy actors must find ways to reconcile that reality with their support for the behaviors that accompany such policies. In sampled discourse from Little Rock, it is evident that some of those reconciling strategies comport with Bandura's (2016) moral disengagement mechanisms at the behavior level: ideological justification of the behavior, advantageous comparison of the behavior to alternative behaviors, and description of the behavior in sanitized or euphemistic terms.

Justification. Justifications have the effect of aligning a behavior with a set of situational or moral imperatives that negate arguments against the behavior. Policy actors use economic logic, moral appeals, and ideological mandates to rationalize behaviors, in effect abdicating their own agency to the circumstances that demand their action. Such circumstances include situations that require a response to or recovery from violence, humiliation, or disaster; instances of competition with opposing or threatening

antagonists; or opportunities to apply a particular ideological solution. As demonstrated in Table 8, I identified instances of this approach at all three levels of discourse (i.e., micro-, or individual-level; meso-, or organizational-level; and macro-, or institutional-level), and across a range of different individual- and organizational-level actors.

Table 8

Moral Disengagement: Justification

Sub-mechanism	Individual (n)	Organizational	Institutional
<i>Recovery</i>	Journalists (3)	Arkansas Learns Forward Arkansas Office for Ed. Policy	-
	Bureaucrats (6)		
	Politicians (1)		
	Advocates (1)		
<i>Competition</i>	Journalists (3)	Arkansas Learns Office for Ed. Policy	<i>Doe v. DOE</i>
	Bureaucrats (5)		
	Politicians (2)		
	Advocates (3)		
<i>True-believer</i>	Journalists (2)	-	<i>Doe v. DOE</i>
	Bureaucrats (1)		
	Politicians (1)		

Note. Individual-level frequencies (n) are the number of distinct individuals from each policy actor group who utilized a given mechanism at least once.

Eleven individual policy actors from four policy actor groups, as well as all three organizational-level actors, utilized *recovery* justifications in support of the takeover. The discourse of crisis common to education reform politics (Stovall, 2013) is rooted in recovery-focused justification. Former school board member Jim Ross, an opponent of takeover, made one of the most severe assessments of the education landscape in Little Rock: “It’s far worse than the test scores show. It’s a horrific crisis. We have failed generations and generations of poor people in this city” [Ross, DG, Jan. 27, 2015]. When crisis language is deployed, more extreme solutions like takeover seem necessary. Baker Kurrus, before his appointment as superintendent, made a similar appraisal:

I just think it is critical that we build public confidence, get our fiscal house in order, and then figure out how we can improve the achievement of these students

who aren't doing as well as they could be doing. It's urgent. [Kurrus, DG, Mar. 26, 2015]

Kurrus expanded the crisis beyond student outcomes, to financial matters and public relations, and of course a bigger crisis calls for a bigger recovery. Weeks later, state Commissioner of Education Johnny Key expanded the takeover mandate beyond the six schools: “[LRSD] needs to embark on a comprehensive improvement process that...takes a more holistic view of the district, its finances, its operations, and its academics with the overarching concept of how to best educate students” [Key, AT, Apr. 10, 2015].

Thirteen policy actors from four policy actor groups appealed to the logic of *competition* to justify state takeover and market-based reforms. Two organizational actors and one institutional actor also used competition strategies. The antagonists addressed by individual-level policy actors in takeover discussions were (a) charter school expansion, and (b) the looming cessation of desegregation funding from the state. Former LRSD school board president Greg Adams spoke in support of closing schools in Black neighborhoods after the takeover, in order to stay financially competitive in the face of declining state funding:

I find the argument that we are going to need fewer schools pretty compelling. It's hard to imagine that we are going to be a healthy school district five or 10 years from now if we have the same amount of schools and the same amount of empty seats. I don't see that changing. I don't think that in a few years we are going to be able to fill those empty seats. [Adams, DG, Nov. 4, 2015]

This is similar to an estimate of future harm—a depiction of widespread under-enrollment at the district's elementary schools. Predictions of future harm are a type of

advantageous comparison intended to increase the favorability of an action. However, Adams is not tying the future empty seats to a behavior of the district or an individual/group he can influence. The empty seats are the result of charter competition, and the behavior at question in this instance is school closure. This defense of the policy of school closure, and rationalization of the accompanying loss to the Black communities affected by those closures, prioritizes financial solvency over the needs of Black families.

Only four individuals and one institutional-level policy actor made appeals to *true believers* in this case. Columnist John Brummett invoked a robust strong-state liberal notion of centralized control of all school districts:

I have a solution. It's for the state, based on its plain and fully litigated constitutional responsibility to provide an adequate and equitable education to all kids statewide, to take over the ultimate responsibility for the administration of all the state's school districts. [Brummett, DG, Jan. 8, 2015]

This was cross-coded as a lesser-of-two-evils appeal (a type of advantageous comparison, discussed in the next section; see Table 3), because it is aimed at two audiences. To skeptical moderates, it proposes a more extreme option that makes takeover of a single district seem less severe. But to true liberals, it makes takeover of a single district seem like a step in the right direction to full centralized governance of all districts. In another statement, liberal state board member Jay Barth (a Democratic appointee) made a similar point on the night of the takeover vote: "To be blunt, it is crucial that the hammer of the state be over the district" [Barth, AT, Jan. 28, 2015]. The imagery here is stark, despite coming from an opponent of state takeover. His attempt was to generate a measure short of takeover under which the Little Rock School Board would remain intact, while still

facing significant compliance mandates. This deployment of state power highlights the disfranchising nature of takeover and the threat it poses to local democratic control, which is problematic when the locality is majority Black and left-leaning, but the state is majority white and right-leaning. The discourse of justification was thus manifest in three ways: takeover as a disaster recovery effort, takeover as a competitive economic maneuver, and takeover as the fulfillment of market philosophy. Further rationalizations were identified in the form of advantageous comparisons.

Table 9

Moral Disengagement: Comparison

Sub-mechanism	Individual (n)	Organizational	Institutional
<i>Historical parallel</i>	Journalists (4)		
	Bureaucrats (3)		
	Advocates (1)	-	-
	Educators (1)		
<i>Estimates of future harm</i>	Journalists (3)		
	Bureaucrats (3)	Arkansas Learns	
	Politicians (1)	Office for Ed. Policy	-
	Advocates (1)		
<i>Uplifting company</i>	Journalists (4)		
	Bureaucrats (7)	Arkansas Learns	
	Advocates (1)	Forward Arkansas	-
	Educators (1)	Office for Ed. Policy	
<i>Ends justify means</i>	Journalists (3)		
	Bureaucrats (3)	Forward Arkansas	
	Politicians (1)	Office for Ed. Policy	-
	Advocates (1)		
<i>Lesser-of-two-evils</i>	Journalists (4)		
	Advocates (1)	-	-
<i>Alternatives failed</i>	Journalists (2)		
	Bureaucrats (4)	Forward Arkansas	
	Politicians (1)	Office for Ed. Policy	-
	Advocates (2)		

Note. Individual-level frequencies (n) are the number of distinct individuals from each policy actor group who utilized a given mechanism at least once.

Comparison. Comparisons are significant because of the aspects of the comparison that their users either ignore or otherwise de-emphasize. To be relevant, a comparison must have parallels to the current moment, but to be persuasive to opponents it must also avoid the contradictions in the comparison. Bandura (2016) asserted that the

“use of superficial similarities in the framing of issues can also distort the judgment of the justification of violent means” (p. 57). Policy actors utilize supposed historical parallels, predictions of future consequences, and association with positive movements to increase the favorability of an action.

The use of *historical parallels* is intended to exonerate present action by likening it to previous successful actions or actions that were supported by one’s opponents, or by contrasting present actions with previous unsuccessful and/or unsupported actions. Nine individuals from four different policy actor groups utilized historical parallels in this case. John Brummett used historical comparisons to suggest that opposition to takeover was in contradiction to liberals’ previous opposition to removing local control in the district consolidation debates a decade earlier: “Little Rock liberals thus were arguing local control in the way rural folks from consolidated tiny school districts had always argued local control...to the disdain of Little Rock liberals” [Brummett, DG, Feb. 1, 2015]. There are superficial similarities between rural district consolidation and the Little Rock takeover, such as the assertion of state power over local will. But the comparison is overly simplistic because (a) most of the rural districts in question were white districts consolidated with other white districts, and (b) in all cases local citizens retained control over the election of their school boards. Neither of these are true for the Little Rock case, in which Black board members were replaced by a singular white commissioner selected by a statewide majority-white electorate at odds with the political leanings of the majority-Black Little Rock district.

At the individual level, six policy actors from four policy actor groups employed *estimates of future harm* in takeover discourses. Two at the organizational level also

utilized estimates of future harm in the discourses of school choice and race. Some predictions concern the harm that will continue to befall the children of Little Rock if the district is not knocked off its present trajectory. State Director of School Improvement Richard Wilde said, “If everything continues as it is going, the district will not see stability in the staff, improved student results, or improved confidence in the district” [Wilde, DG, Jan. 8, 2015]. The takeover is presented as a necessary interruption of continued local control, necessary to stop future catastrophe. Wilde’s comparison is also an example of the use of the agentless passive voice—the situation will continue and the district will not see stability, and so forth. Here the lack of actors is not intended to escape blame, but to illustrate the out-of-control nature of the present inertia of failure in the district. To stave off this impending chaos, Wilde encouraged takeover.

In another more explicitly morally disengaging comparison, the district is drained of its high-performing white students and left with only the poor, Black and Brown students, and students with special needs: “[LRSD is] the place where kids go when their parents don’t elect to send them to private schools, don’t elect to move them into other communities, or don’t elect to send them to charter schools” [Kurrus, DG, Nov. 4, 2015]. The implication of this is that serving high-need students without means to go to non-district schools is undesirable, and that the district's problems are the fault of affluent white families moving out of the district and leaving only the unteachable behind. Even when the white families are blamed, the Black families are still the problem. There is an element of victim-blaming here, which is a distinct mechanism of moral disengagement, since “high-need” students’ merely showing up to school is cast as a harm to the district. But in this particular comparison, the higher concentration of “high-need” students is the

outcome, but the causal behavior is the exodus of affluent white students. The implication, then, is that to stop the future harm of a district full of poor, Black, and special education students, the district must act to attract whites back to public schools.

In the most frequently utilized type of advantageous comparison, nine individuals from four different policy actor groups used *uplifting company*. Additionally, all three sampled organizational level actors related their points to uplifting company in the discourse of state takeover. Policy actors made comparisons to several other districts in the state who were (a) attracting students from Little Rock, (b) of comparable size, or (c) also going through a state takeover. Kurrus defended budget cuts by saying “other districts do the same job with a whole lot less” [Kurrus, DG, Feb. 28, 2015]. He also defended new school construction by pointing out the competition Little Rock faced from the “communities that surround our school district...Northwest Arkansas, North Little Rock, Benton, Cabot, Bryant” [Kurrus, DG, Oct. 2, 2015] who were attracting families because Little Rock did not have adequate middle school and high school facilities. All of these districts are majority white and higher-performing. Uplifting comparisons generally appeal to a sense of morality and principle (Bandura, 2016). In this case the appeal is to exemplars of success, and the suggestion is that if Little Rock closes some schools and builds new schools elsewhere they, too, will be successful.

Seven policy actors from four policy actor groups utilized an *ends-justify-means* comparison. Two organizations utilized this rationalization. On the day of the takeover, the Editor said takeover was a necessary measure to take “so students want to attend its schools, not leave” [Editor, DG, Jan. 28, 2015]. This paralleled Kurrus’s later warning—10 months into the takeover—that “if we don’t change, this community is going to be like

Detroit” [Kurrus, DG, Nov. 4, 2015]. The Editor’s appeal is more utilitarian, but Kurrus’s is both utilitarian and a racist dog whistle. Both of these are examples of crisis recovery and competition rhetoric, two types of justification discussed in previous sections. But the explicit portrayal of outcomes in these examples—of preventing students from choosing to leave the district en masse in the Editor’s example and of the city escaping devolution into a blighted wasteland in Kurrus’s example—seem to necessitate a by-any-means-necessary approach to reform.

Four policy actors from two policy actor groups employed a *lesser-of-two-evils* comparison. The lesser-of-two-evils justification is a tacit admission that a particular option is undesirable. However, when juxtaposed with other, even less favorable options, it appears more palatable. Brummett offered two contradictory alternatives, simultaneously arguing that it would only be for a short time (“bear in mind that no state takeover is to be forever”) and that it should be forever and applied to all districts (“for the state to take over the ultimate responsibility for the administration of all the state’s school districts”) [Brummett, DG, Jan. 8, 2015]. These could also be considered minimization of harm, which is a type of dismissal mechanism through which negative outcomes are distorted to seem less severe or harmful. However, since they occurred before the behavior (takeover) was actually performed, they are potential behavior options.

Eight individuals from four policy actor groups pointed to better *alternatives that have failed* in the past. Two organizations also utilized comparisons to failed alternatives. In her letter to the state board, LRSD board member Leslie Fiskens said, “As history tells, over the past twenty-five years, the LRSD has had different superintendents every

eighteen to twenty-four months. Our history shows that the LRSD school board cannot support and retain superintendents” [Fisken, AT, Jan. 4, 2015]. Here, her point is that replacing the superintendent has not worked in the past 25 years; thus, the board has been the problem all along. State board member Vicki Saviers concurred:

We’ve seen Band-Aids and small steps in recent months, but only after...the district was faced with serious sanctions. All of the folks we’ve seen today have pledged to do better going forward...but this [poor school performance] has been documented for 13 years. ...Here we are in 2015. We have a long history of academic distress in those schools. [Saviers, AT, Jan. 28, 2015]

These portrayals of takeover give it the appearance of a last resort measure, by juxtaposing it with past failed efforts. By separating themselves from past boards, Fisken and Saviers indicate their unwillingness to accept culpability for repeating the mistakes of previous boards, and takeover amounts to both a break with previous leadership and a change in direction from previous attempts.

Euphemism. The use of euphemism is more overtly manipulative than either justification or advantageous comparison, since policy actors employ it to disguise a behavior by (a) removing agency through the use of passive voice, (b) removing negative connotations with sanitizing language, and (c) borrowing positive terminology from uplifting social movements or positively regarded fields.

Twenty individual policy actors from four different policy actor groups used *passive voice* to refer to state action or education policies related to the takeover (see Table 10). All three organizational-level actors, as well as the court opinion in *Doe v. DOE*, also used passive voice in takeover discourse. The effect of passive voice is to

Table 10

Moral Disengagement: Euphemism

Sub-mechanism	Individual (n)	Organizational	Institutional
<i>Passive voice</i>	Journalists (4) Bureaucrats (6) Politicians (5) Advocates (5)	Arkansas Learns Forward Arkansas Office for Ed. Policy	<i>Doe v. DOE</i>
<i>Sanitizing language</i>	Journalists (4) Bureaucrats (11) Politicians (3) Advocates (2) Educators (2)	Arkansas Learns Forward Arkansas Office for Ed. Policy	<i>Doe v. DOE</i>
<i>Borrowed jargon</i>	Journalists (1) Bureaucrats (3) Advocates (1)	Arkansas Learns Forward Arkansas Office for Ed. Policy	<i>Doe v. DOE</i>

Note. Individual-level frequencies (n) are the number of distinct individuals from each policy actor group who utilized a given mechanism at least once.

communicate that the negative consequences of harmful behaviors are actually “the work of nameless forces rather than of individuals” (Bandura, 2016, p. 55). As a former English teacher and editor, I understand that the use of passive voice is common and may not always indicate an attempt at self-exoneration. However, I believe the cases I identified are instances of purposive passive voice, not just lazy phrasing.

Policy actors used passive voice to explain racial inequality in Little Rock without attributing the inequality to any people or policies. Brummett said “the district has become largely re-segregated, and majority black” [Brummett, DG, Jan. 8, 2015]. This phrasing presents re-segregation as a naturally occurring event, instead of connecting it to policies like school choice laws and charter schools that have known segregating effects (Bifulco & Ladd, 2007; Scott & Quinn, 2014). In these cases, it is the policymakers who re-segregated the district. Ross said “[Black] children have unequal access to highly qualified teachers and administrators” [Ross, AT, Jan. 26, 2015]. Access to these educational opportunities is determined by policy (Donnor, 2011; Knoepfel, 2007), so it is the policymakers who assigned un- or under-qualified teachers and administrators to

the schools Black children attend. It is the policymakers who failed to take alternative actions that could have attracted or retained qualified personnel. They were passive in their approach to addressing the problem as well since they relied on external forces (the state, charters) to solve the problems they had created.

Table 11

Amorphous Agents' Actions

Excerpt	Subject	Action	Alternative wording
"[The deep division in the Little Rock community]...probably <u>deepened</u> since the Jan. 28 vote. Those of us on the board from Little Rock knew how divisive this decision would be." [Barth, DG, Mar. 20, 2015]	division	deepened	Policymakers <u>divided</u> the Little Rock community...
"I hate that race and class <u>divide</u> — and in many ways define—Little Rock and the division <u>will only grow</u> worse because of the state action." [Kopsky, ST, Dec. 5, 2015]	race and class division	divide, define grow worse	Policymakers have <u>divided</u> Little Rock by race and class. The state board further <u>divided</u> Little Rock by race...
"I understand the feeling of disfranchisement that <u>exists</u> ." [Ledbetter, AT, Apr. May 9, 2015]	feeling	exists	The state board <u>disfranchised</u> the people of LRSD
"The news of a leadership change in the Little Rock School District— from Baker Kurrus to Michael Poore— <u>sparked</u> controversy this week." [Ritter, DG, Apr. 22, 2016]	news	sparked controversy	Johnny Key <u>sparked</u> controversy by firing Kurrus...
"There are high-performing schools in every region, but access to such schools <u>varies</u> significantly." [FA, <i>Vision 2015</i>]	access	varies	State policymakers <u>create</u> unequal access to high-performing schools
"In January 2015, public anger <u>flared</u> in and around Little Rock when the Little Rock School District (LRSD) <u>was taken over</u> the same month The State of Education in Arkansas was released." [FA, <i>How We Built a Statewide Movement</i>]	public anger	flared	The state board <u>angered</u> <u>the public</u> when it took over the Little Rock School District.

Ross also defended the appointment of Baker Kurrus by saying that “he loves the children in our city who find themselves oppressed” [Ross, AT, Feb. 16, 2015]. These are

likely the same children who, for former LRSD school board president Greg Adams, “are stuck with poor or lacking facilities” [Adams, AT, Apr. 18, 2015]. These children cannot be the principal agents of their own oppression (Freire, 1970; Robinson, 2004).

Policymakers bear responsibility for marginalizing Black children in Little Rock. In these general references to racial inequality in Little Rock, the only subjects of the sentences, from a grammatical perspective, are Black children and families. The actual behaviors at the root of such inequality are not mentioned, so no self-exoneration is even necessary.

Another method through which passive voice disguises the agents of marginalization is when concepts or amorphous states of being are the subject of a sentence, instead of people. In the excerpts in Table 11, concepts or ideas like “division,” “race,” “class,” “access,” and “anger” are the objects of the verbs “deepened,” “divide,” “varies,” and “flared,” respectively. Of course, this discourse acknowledges racial inequality, but in the chosen phrasing there are no humans at the center of these states of being. Situations like racial division, unequal access, and disfranchisement are caused by other humans, not by natural forces (Au, 2016; Chapman, 2013; Gillborn, 2008). If such circumstances are treated as independently occurring phenomena, then policy actors and citizens do not believe they are culpable for those circumstances when they approve and enact the policies that actually cause division, inequality, and disfranchisement.

Twenty-two individuals from all five policy actor groups, all three organizational-level actors, and one institutional-level actor utilized *sanitizing language* (Bandura, 2016) when referring to behaviors associated with the takeover (e.g., dissolution of the school

Table 12

Glossary of Sanitized Terms

Sanitized term	Referent meaning
“certain uncomfortable factors” [Brummett, DG, Jan. 8, 2015]	racial inequality; white supremacy
“racial division” [Marshall, Doe v. DOE]	
“state partnership” [Wilde, DG, Feb. 1, 2015]	state takeover
“Achievement School District” [Cozart, DG, Mar. 10, 2015]	
“the unsettling situation” [Koehler, DG, Apr. 7, 2015]	
“affords the possibility” [Newton, DG, Mar. 10, 2015]	forces
“nontraditional providers” [Newton, DG, Mar. 10, 2015]	private contractors, charter management organizations
“maximum flexibility” [Newton, DG, Mar. 10, 2015]	punitive accountability measures
“compliance activities” [FA, <i>Vision 2015</i>]	
“divisive” [Barth, DG, Mar. 20, 2015]	marginalizing, disfranchising toward Black people
“serving a niche” [Wilde, DG, Apr. 16, 2015]	delivering below-proficiency outcomes in a safe, racially homogenous environment
“a concerning population” [Smith, DG, Apr. 16, 2015]	Black students
“students from low socioeconomic backgrounds who may not be able to afford to live in higher-achieving districts” [OEP, <i>Impacts of the Public School Choice Act of 2013</i>]	
“not a traditional choice” [Massanelli, DG, May 7, 2017]	person(s) without education experience
“new faces” [FA, <i>How We Built a Statewide Movement</i>]	
“people with different backgrounds who also have certain skills” [Ledbetter, DG, Mar. 26, 2015]	
“communities of interest” [Kurrus, DG, May 14, 2015]	white people
“simplifying the relationship between the [LREA] and the district” [Kurrus, DG, Aug. 11, 2015]	cutting benefits from teacher contract
“the unexpected change” [Ritter, DG, Apr. 22, 2016]	firing of superintendent
“does not have the resources in place” [FA, <i>Vision 2015</i>]	does not allocate funding equally
“traditional rules and regulations” [FA, <i>How We Built a Statewide Movement</i>]	workplace protection, certification, and accountability policies
“raked over the coals” [FA, <i>How We Built a Statewide Movement</i>]	held accountable by voters
“open, honest dialog” [FA, <i>How We Built a Statewide Movement</i>]	closed-to-the-public dialog
“unintended consequence” [OEP, <i>Impacts of the Public School Choice Act of 2013</i>]	research-demonstrated predictable consequence

board, expansion of charter schools, hiring and firing of administrators) or to the people involved (e.g., Black students, white families, administrators with no experience in education). The effect of sanitizing language is that it “extracts every ounce of humanity” (Bandura, 2016, p. 53) from a description of human interaction or human consequences.

References to the state takeover as a “partnership” [Wilde, DG, Feb. 1, 2015] or to the proposed state administrative mechanism as an “Achievement School District” [Cozart, DG, Mar. 10, 2015] disguise the disruptive nature of the dissolution of the school board and the disfranchisement of Little Rock voters. Table 12 contains a glossary of sanitized phrases utilized in the sampled discourse from a variety of individual-, organizational-, and institutional-level actors. Repeated references to Black marginalization as “racial division” [Barth, DG, Mar. 20, 2015; Marshall, Doe v. DOE], as opposed to racial oppression or racial marginalization, assert a false equivalency in which Black people bear at least some responsibility for their own marginalization. Reticence to even address race at all, by referring to Black students and families as “a niche” [Wilde, DG, Apr. 16, 2015], “a concerning population” [Smith, DG, Apr. 16, 2015], or “students from low socioeconomic backgrounds who may not be able to afford to live in higher-achieving districts” [OEP, *Impacts of the Public School Choice Act of 2013*] could be read as policy actors’ avoidance of acknowledging the racist consequences of policy actions. Similarly, portraying white business leaders like Key and Kurrus as “people with different backgrounds who also have certain skills” [Ledbetter, DG, Mar. 26, 2015] negates the importance of educational expertise. Referring to private, for-profit contractors who propose to administer schools or districts taken over by the

state as “nontraditional providers” [Newton, DG, Mar. 10, 2015] sidesteps important information about these firms.

Five individuals from three policy actor groups *co-opted jargon* from other fields and movements in their takeover discourse. Coopted jargon was also evident in the discourse of three organizations and the *Doe* opinion. Bandura (2016) called this approach using the “specialized jargon of a legitimate enterprise” (p. 55) in order to lend legitimacy to a behavior that, discussed on its own terms, seems undesirable. In other words, and primarily in this case, talking about education with the language of business instead of the language of education. Policy actors in Little Rock frequently deployed (a) the language of business, including efficiency, risk, and innovation; and (b) the language of civil rights, although admittedly to a lesser degree than I expected. In discussing issues such as teacher pay and benefits, school closure, and district governance, Kurrus said his goal was to make the district “a lean organization” [DG, Apr. 2, 2015]. The impending conclusion of state desegregation funding after the district was declared unitary (or fully desegregated), meant an annual loss to the district of nearly \$40 million. “It’s possible to be nimble, lean, agile, efficient and energized in a small organization with dedicated people” [Kurrus, DG, Apr. 10, 2015]. In addition to the health metaphors and the obligation to fiscal austerity, the corollary of such an argument is that teacher benefits, neighborhood schools, and building-level administrators are equivalent to fat and lethargy, hindering the district’s agility at coping with the loss of desegregation funds. This displaces responsibility for cuts onto the financial circumstances of the district, because being in financial distress is not an option. From a moral disengagement perspective, it is not the case that there were better metaphors to use, or more favorable

alternatives to corporate rhetoric. The alternative is blunt honesty and mea culpa—that Kurrus is choosing to make cuts (as opposed to, say, proposing a millage increase), choosing where to make cuts, and choosing where not to make cuts. The situation may not warrant symbolic language.

Organizational-level uses of business jargon included references to risk and innovation. Forward Arkansas, a public-private partnership organization created to craft a plan and platform for public education in Arkansas in the wake of the state takeover, described their genesis as “a story of taking risks when the rewards are uncertain, of challenging the status quo in innovative ways, and expanding networks to create a vision for statewide change” [FA, *How We Built a Statewide Movement*]. In their first publication, which announced their purpose to the public, they declared deregulation as one of their goals: “Streamline the regulatory burden for educators at all levels (including the Arkansas Department of Education) to reduce complexity [and] encourage a shift from a compliance mindset to a performance-driven mindset” [FA, *Vision 2015*]. In this discourse, education reform might be seen as a movement to throw off the shackles of government regulation, many of which concern professional standards, education of children with special needs, and protections for students of color and students from families of low SES. The University of Arkansas Office for Education Policy advocated for the creation of the Achievement School District with similar business-related terminology: “The creation of the Achievement School District could allow for flexibility at the school level to best meet student needs while leveraging the efficiency, expertise and collaboration of centralized support” [OEP, *Achievement School District*].

Other instances of coopting the jargon of legitimate enterprise (Bandura, 2016) related to racial equality and civil rights are evident in the editorial page of the *Democrat-Gazette*:

Closing the racial gap in student achievement is a top priority in Little Rock. Almost everyone agrees on that. The eStem [charter] school has proven its academic excellence. Of the more than 6,000 students on the waiting list, almost two-thirds are African Americans. Those who want a better educational opportunity for minority students should want eStem to expand. [Editor, DG, Mar. 10, 2016]

The history of the editorial page's antagonism toward Black leaders in Little Rock, including state Senator Joyce Elliott [Editor, DG, May 17, 2016] and attorney and State Representative John Walker [Editor, DG, Feb. 1, 2015] as race-baiters and advocates of a dismal status quo make this appeal a departure from its typical rhetoric. The persuasive purpose of such language must be critically considered in light of this trend. The D-G Editor also invoked the (omnipresent) legacy of the Little Rock Central High School desegregation crisis in defense of expanding enrollment at a charter school that serves a disproportionately large number of white students:

Imagine an African American leader and politician using the 1957 Little Rock Crisis to keep black kids from going to better schools. Fact: There are waiting lists to get into Little Rock's very public charter schools, some of them thousands of names long. One in particular stands out: the list to get into eStem, which is 6,000 names long. And two-thirds of them black kids. [Editor, DG, May 17, 2016]

White policy actors thus deployed a range of rationalizations and representations of their actions that fit the descriptive framework of moral disengagement at the behavior locus. The supposed effect of these mechanisms is to make the behavior not only appear necessary, but appear desirable and moral course of action (Bandura, 1999).

Agency locus. Policy actors who use mechanisms within the agency locus are addressing responsibility for behaviors that have already occurred, not rationalizing future behaviors. In addition to the contemporary behaviors of takeover, hiring/firing of administrators, charter expansion, and school closure and construction, some enduring circumstances addressed by policy actors include low student achievement levels in the district, school board performance, funding decreases, and segregation in schools. Other agents invoked include past school boards, financial mandates, the governor, the state commissioner of education, the state board of education, the Arkansas Constitution, Arkansas law, and the General Assembly.

Diffusion. Diffusion of responsibility distributes responsibility for a harmful act among the larger group. To diffuse responsibility for harmful policies or actions, policy actors use (a) group decision making, the refuge of the majority common in democratic societies; (b) division of labor, the specialization of work and an appeal to the determinism of organizational hierarchy; and (c) collective action, which is either a behavior so widespread that blaming an individual is unfair, or a behavior in which multiple people participated. When responsibility is dispersed among large groups or throughout institutions, individuals ostensibly escape culpability. I identified instances of this approach at all three levels of discourse (i.e., individual, organizational, and institutional), and across a range of different individual- and organizational-level actors.

Table 13

Moral Disengagement: Diffusion

Sub-mechanism	Individual (n)	Organizational	Institutional
<i>Group decision</i>	Journalists (2)	Forward Arkansas Office for Ed. Policy	-
	Bureaucrats (6)		
	Politicians (2)		
<i>Division of labor</i>	Journalists (4)	Arkansas Learns Forward Arkansas	-
	Bureaucrats (3)		
	Politicians (2)		
<i>Collective action</i>	Journalists (3)	Arkansas Learns Forward Arkansas Office for Ed. Policy	<i>Doe v. DOE Code (Choice)</i>
	Bureaucrats (3)		
	Politicians (2)		
	Advocates (1)		
	Educators (1)		

Note. Individual-level frequencies (n) are the number of distinct individuals from each policy actor group who utilized a given mechanism at least once.

Ten policy actors from three different policy actor groups, as well as two organizational-level actors, pointed to *group decision making* to diffuse responsibility for takeover-related actions (see Table 13). In contrast to a displacement of responsibility onto a specific other group, diffusion by group decision making has the effect of clouding who the real decision maker is. State board member Vicki Saviers appeals to two groups, an informal group with an apparent consensus regarding the current state of affairs, and a formal group with more thinking to do:

It seems that everyone we heard from agreed that the status quo is not acceptable.

Under the law, the state board has many options for addressing schools that are in academic distress. I think it is appropriate that the full board be able to carefully consider all those options. [Saviers, DG, Jan. 9, 2015]

This could be simply an appeal to democratic processes, but because Saviers selects which decisions from the consensus she accepts and which decisions she assigns to the state board, it is more artful than that. She accepts the group decision from “everyone” that change is needed but does not mention the considerable public opposition to the

takeover solution. That decision she leaves to the state board. The rhetorical effect is to present whatever decision the state board makes as an endorsed action by the people at large. Jim Ross made a similar appeal: “I think we need to get everyone at the table on this” [Ross, DG, Jan. 9, 2015]. The effect of these mechanisms is to broaden the scope of who has the franchise as it relates to governance of the LRSD. Such broadening amplifies the voices of well-resourced interest groups and muffles the voices of the voting majority (Morel, 2016).

Arkansas Times Editor Max Brantley, who supported takeover at the time of the excerpt below, displaced responsibility onto those masses of white people who choose not to live in a majority Black city:

The Little Rock School District (which is not allowed to share in westward city growth) almost certainly has a majority black population. It has a majority black school age population. They are majority impoverished. Fact: Many middle income white people don’t want to live in geographic areas with majority poor minority populations. [Brantley, AT, Jan. 8, 2015]

This point is made in criticism of white flight and the people who participate in it, but its effect is still to diffuse responsibility for racial inequality in Little Rock onto unnamed white individuals, instead of on policymakers.

For former LRSD board president Greg Adams, those who remain in the city (“the business community,” a reliably white constituency) have deliberated and concluded that the takeover is necessary:

I know many in the business community have spent long years in deep study of the district and *some of them even have entrusted their children to the schools.*

Many have concluded after long and fraught effort...that massive change is necessary. [Adams, DG, Jan. 25, 2015, emphasis added]

Adams also invoked the diffuse consensus that the status quo in Little Rock is unacceptable. On January 25, 2015 (the publication date of this quotation), Adams was president of a still-extant school board, speaking in opposition to the board's dissolution and state takeover of the district. In this excerpt, though, he seems to concede to an immutable force—the wishes of the business community. Additionally, he appears to legitimize their position by applauding some of them for deigning to send their children to public schools.

Nine individuals from three policy actor groups and two organizational-level policy actors appealed to *division of labor* to avoid responsibility for takeover. Leading up to the takeover vote, LRSD board member Jim Ross appeared to diffuse responsibility for district performance further down the organizational chart: “These folks on the ground know what needs to be done” [Ross, DG, Jan. 9, 2015]. His intent might have been to democratize the improvement process by yielding to the professionals at the core of teaching and learning. But his focus on classroom- and building-level decision making neglected (a) the policy questions that led to inequity—in funding, staffing, resourcing, and so forth—between schools (Lee, 2012), (b) the zoning decisions that determine school attendance (McDermott, 2007; Mintrop & Trujillo, 2005), and (c) the accountability mechanisms that put schools at risk for takeover in the first place. In other words, by shifting talk of solutions to the voting public, and ignoring the policy actions that created the problem, he reframed the problem as a collective failure, which is diffusion of responsibility.

The day before the takeover vote, in a defense of the teachers' union, civil rights litigators, and the LRSD board members, Arkansas Times Editor Max Brantley implied further teacher-blaming for the state of the district: "Please remember that these staffing decisions are NOT the work of the hated teachers' union, John Walker, or the School Board. They are administrative responsibilities. And state oversight failed, too" [Brantley, AT, Jan. 27, 2015]. Brantley's point here was not about policy; it was about who is responsible for not firing bad teachers, with the implied solution of turning to a governance structure in which teachers are held accountable. This diffused responsibility for inequity among the teacher corps and exonerated policymakers.

After the takeover, once Baker Kurrus was appointed superintendent, he attempted to realign expectations of the superintendent's role: "I found out the hard way that everybody thinks I'm the answer man, and that's not the way an organization should work" [Kurrus, DG, May 15, 2015]. In this instance, Kurrus diffused responsibility among the district-level administrators and building leaders figuring out post-takeover instruction and leadership plans. In another instance, he diffused responsibility up the chain of command to his superiors:

I have a lot of front line experience and knowledge and access to facts that most people don't have, so I'll have strong opinions—but I don't act on those. It's not for me to decide things that are policy-related. The superintendent is an executive role, not a policymaker, and there's a huge difference. [Kurrus, AT, Aug. 20, 2015]

The district's division of labor itself was diffuse in 2015. These appeals to the organizational chart of district governance were made in a context in which the

policymaking body—the school board—had been dissolved by the state. In place of the board was a single individual—the state commissioner—and Kurrus was a newly appointed superintendent whose immediate predecessor had been fired.

Ten different policy actors from all five policy actor groups, as well as all three organizational-level actors, and both institutional-level source used *collective action* to diffuse responsibility for harmful policies. LRSD board member Jim Ross made early efforts at collaboration, even before the takeover vote occurred: “Together, we can fix this.... There is no way the state is going to be able to do this alone. There’s no way we can do this alone” [Ross, DG, Jan. 9, 2015]. His assertion was that, even if the state took over the district, they would still need district-level cooperation to turn around the district. This initial effort at district-state collaboration was considerably more positive than later appeals from Ross, which focused on the collective misdeeds of others: “Perhaps most importantly, the existing system has evolved to concentrate poor kids into ‘segregated academies’ that tend to lack highly qualified teachers and administrators, creating ‘dysfunctional learning environments’” [Ross, AT, Jan. 26, 2015]. This version of Little Rock’s history of inequity diffused responsibility throughout “the system,” with no specific perpetrators at fault.

Former LRSD board president Greg Adams avoided diffusing responsibility for the district’s history to an impersonal “system” by diffusing responsibility to every person in the district except students:

The temptation regarding the state takeover is to tell a simple narrative with one party being the “bad guy.” I suggest resisting a simple narrative. The district would not have been at risk for takeover (a decision with which I disagree) if we

had not underperformed. In various ways, we all underperformed—the Board, superintendents (plural), administrators, teachers, the union, the business community, and parents. [Adams, AT, Apr. 18, 2015]

The inclusion of parents in Adams’s narrative of past district performance is problematic, because it implies he is blaming lack of parent engagement (which is a racist dog-whistle because it places affluent white norms of parent involvement onto non-affluent and non-white parents; Cooper, 2009). Other diffusions of responsibility among parents are more specific: “The proposed expansion is largely a response to the high demand for the schools. ...6,410 students submitted applications...to enroll in what is now a 1,462-student eStem system school for the 2016-17 school year” [Bacon, DG, Feb. 20, 2016]. This explanation for the decline of district performance comes in the form of a plea for expansion of eStem, from the head of the school, John Bacon. The collective action here is mass parent choice to enroll in eStem, a charter school, placing responsibility for declining enrollment and funding at LRSD schools onto the market, or parents, instead of on policymakers.

The Editor of the *Democrat-Gazette* diffused responsibility among the same constituency, but more explicitly than Bacon did:

Because those families know what’s good. They see other kids in these charter schools, talk with other parents about how charters are changing public education—for the much better—and see the excitement in the eyes of all involved. And they want in. [Editor, DG, Mar. 10, 2016]

In the Editor’s narrative, parents were not only choosing charter schools, they were choosing other districts. Importantly, however, these were not just any parents:

Before the state took over, Little Rock’s district was losing *families of means*. Parents looked around, saw the schools failing, and decided they could do something about it, if only for their children. They chose private schools. Or they sold the house and moved to Cabot or Bryant. At least those who could afford it did. [Editor, DG, May 17, 2016, emphasis added]

Policy actors creatively dispersed agency for the takeover amongst the crowd, which is easy in a democracy, but they also displaced it onto other specific actors and institutions, which is more akin to blaming.

Displacement. Displacement of responsibility shifts responsibility for a harmful act to another individual, group, or institution. To displace responsibility for harmful policies or actions, policy actors use (a) obligation through a sense of duty or personal responsibility; and (b) indirect permission through willful ignorance or distance from the action. I identified instances of this approach in individual, organizational, and institutional discourse.

Table 14

Moral Disengagement: Displacement

Sub-mechanism	Individual (n)	Organizational	Institutional
<i>Obligation</i>	Journalists (4)	Forward Arkansas Office for Ed. Policy	<i>Doe v. DOE</i>
	Bureaucrats (12)		
	Politicians (4)		
	Advocates (2)		
<i>Indirect permission</i>	Journalists (3)	Arkansas Learns	<i>Code</i>
	Bureaucrats (3)		
	Advocates (2)		

Note. Individual-level frequencies (n) are the number of distinct individuals from each policy actor group who utilized a given mechanism at least once.

Eighteen individuals from four policy groups, as well as two organizational-level actors, utilized the appeal to *obligation* (see Table 14). Judge Marshall also used this mechanism in his *Doe* opinion. Policy actors claimed obligation to the law and to

precedent to displace responsibility for takeover-related actions. In these cases, policy actors displaced responsibility for the takeover onto other lawmakers, policymakers, and officeholders. For example, in state commissioner Johnny Key's language, the takeover seemed almost preordained: "The state takeover of the Little Rock School District was in direct fulfillment of previous Arkansas Supreme Court decisions and a constitutional duty to the district's students" [Key, DG, Apr. 10, 2015].

Columnist Brummett wrote that in the case of Little Rock, state law not only permitted district takeover, it compelled it: "A state law exists giving the state board the authority, indeed the responsibility, to take control in such cases" [Brummett, DG, Jan. 8, 2015]. Brummett's position went further than state takeover in cases of financial or academic distress: "As written in the state Constitution and embraced by the Arkansas Supreme Court ... public education is the responsibility of state government—not the collective local board members and the local voters who install them" [Brummett, DG, Jan. 22, 2015]. Here Brummett noted the supremacy of state prerogative over that of local school boards: "Local control is a bogus notion. The state Constitution makes adequate and equitable educational opportunity the statewide responsibility of state government" [Brummett, DG, Feb. 1, 2015]. After the state supreme court affirmed the constitutionality of the takeover, in *Curry v. Key* (2015), the governor made the same statement of state superiority in ensuring equity at the local level:

A decision to end local control is always a difficult one. But in the case of the Little Rock district, the Supreme Court found that the state board operated within its statutory authority. Now, you know I believe in local flexibility and local

governance and responsibility, but the state has the responsibility—the Supreme Court affirmed that today. [Hutchinson, DG, Oct. 30, 2015]

State law regarding takeover was not the only authority to which policy actors claimed obligation. Policy actors also invoked commitment to precedent or to how others acted in similar situations in their takeover discourse. State board chairman Sam Ledbetter argued that the purpose of the LRSD school board was to support the superintendent:

You've got to have a board that supports the leader. The board can't be going in eight different directions and second-guessing everything. At some point you chart a course, and your leader executes that course...and the LRSD has struggled in getting to that point. [Ledbetter, AT, Jan. 22, 2015]

This directly contradicts the *division-of-labor* interpretation of the superintendent's responsibility, excerpted above, in which the board makes policy and the superintendent executes that policy. Ledbetter encouraged deference to appointed executives over local representatives in the case of takeover, as well as in the unilateral appointment of a new superintendent by the state commissioner: "State takeovers of other school districts—such as in the Pulaski County Special School District—have proceeded in a similar manner" [Ledbetter, AT, May 9, 2015].

Eight policy actors from three actor groups, one organizational-level actor, and one institutional-level actor also pointed to *indirect permission* to displace responsibility for takeover-related actions. Bandura (2016) referred to indirect authorization of harmful acts as "surreptitious sanctioning," (p. 59). There was suspicion among the liberal policy actors that the public-private partnership Forward Arkansas was an example of such

surreptitious activity, funded by the Walton Family Foundation to influence education policy with the appearance of bipartisanship and consensus. Arkansas Times reporter Benji Hardy explained,

After the state board took over the LRSD in January, many began looking closely at ForwardAR, the partnership between the Walton Family Foundation and the Winthrop Rockefeller Foundation to create a strategic plan for Arkansas public education in contract with the state's Education Department. Because the Walton Foundation has supported efforts elsewhere to turn over public schools to private charter management organizations, ForwardAR's involvement with the state was received with much suspicion by advocates of the LRSD—especially when it was announced ForwardAR would contract with the Boston Consulting Group, an organization that's recommended privatization of public schools in Memphis, Philadelphia, and elsewhere. [Hardy, AT, Mar. 27, 2015]

Bandura (2016) identified types of indirect authorization such as implicit agreements and willful ignorance that are difficult to identify because they require divining the unstated intentions of specific policy actors. Still they enable plausible deniability on the part of those who employ them, and the influence of the Walton Family Foundation and Forward Arkansas on education policy in Little Rock gives opponents of market-based reforms a convenient villain on which to displace responsibility for those reforms.

The advocacy organization Arkansas Learns proposed a number of accompanying policies that they claimed would make the takeover successful. Among them were the following recommendations:

Close, consolidate proximate schools which are significantly under capacity. Sell, lease excess property. Convert, construct secondary schools where none exist to retain, attract students back to district. Redraw attendance zones of each school, correlating proximity equity and capacity of the school. [AL, Jan. 25, 2015]

One type of indirect authorization Bandura (2016) identified is the “insulating social arrangement” (p. 61), in which policy actors maintain plausible deniability by displacing responsibility onto subordinates through policies or other organizational processes. The policy proposals from Arkansas Learns could be considered such policies, in which the new concept of “proximity equity” is introduced as the motivation for school closures, construction, and rezoning. Such a policy would mandate closure, construction, and rezoning, which have traditionally favored affluent, white communities and marginalized Black and Brown communities (T. L. Green, 2017; Siegel-Hawley, Bridges, & Shields, 2017), based on all children’s supposed right to have a school near their home, which is a race-neutral factor.

There were other examples of surreptitious sanctioning more explicitly outlined in state law: “Student’s transportation and the costs of the transportation shall be the responsibility of the parent or guardian” [Arkansas Code Annotated §6-18-227]. In this example from the state school choice law, transportation is deemed the responsibility of the parent. Lack of transportation is a common reason families are unable to send their children to charter schools, since access to private transportation, proximity to public transportation, inflexible work schedules, and longer distance from school all disproportionately affect Black and Brown families from low SES communities (Logan & Burdick-Will, 2016). With this policy, charter schools benefit by skimming from the

applicant pool only those students from families who can afford or manage their own transportation, while claiming their enrollment is by random lottery.

The benefit of market-based reforms for those who wish to displace responsibility for their effects is that the “invisible hand,” or consumer demand, is always the agent. In the case of charter schools, outcomes like resegregation, depletion of public school enrollment, and transfer of state funding to private entities, are not the result of policies, but of the market. Gary Newton, a Walton-funded advocate for school choice claimed exactly this in an op-ed in the *Democrat-Gazette*:

Messrs. Adams and Ledbetter claim to “know these charter schools have taken achieving students out of the LRSD.” Charters do not take students from school districts, as students do not belong to districts or charters. Taxpaying parents/guardians of students choose where to send their students to school [Newton, DG, Feb. 18, 2016].

If the students do not belong to the district, then it follows that the district has no responsibility to serve them. Taxpaying parents is also an immigration dog-whistle, since all parents are tax-payers except those who may be undocumented. And choosing where to send your kid to school is an exercise of privilege. Not all parents are able to choose, either because they cannot afford the uniforms, are not aware of the choices, cannot transport their children to and from school because of work, or their children’s behavior records do not comport with charter schools’ codes of conduct.

Outcome locus. Outcomes at play in the takeover discourse include disorder among district leadership, disfranchisement of Black citizens, increased achievement gaps, increased white enrollment in the district, and further segregation of schools. Each

of these outcomes has a marginalizing effect on Black students, families, and communities. Recall from Chapter 1 that in the case of Little Rock, school choice initiatives such as vouchers and charter schools have resulted in the proliferation of charter schools with enrollments disproportionate to the racial distribution of students in the city. It is reasonable to expect that policy actors know this, as it was discussed in meetings of the state board in consideration of charter renewals and expansions [Howell, DG, Feb. 20, 2016], discussed in the news media [Brummett, DG, Jan. 5, 2015; Editor, DG, Feb. 17, 2015], and cited as fact in Judge Marshall's opinion in *Doe v. DOE*. Therefore, in discourses related to these outcomes, from Bandura's (2016) perspective it is plausible that they would employ mechanisms of moral disengagement to distance themselves from these outcomes. Where outcomes are concerned, disengagement takes the form of dismissal of outcomes—through outright denial that the outcomes occurred; distortion of their effects by minimizing or otherwise misconstruing their severity; or disregard of the outcomes by ignoring or maintaining distance. I found examples of denial, distortion, and disregard at all three levels of discourse in Little Rock.

Denial. Individuals from all five policy actor groups, all three organizational-level actors, and one institutional-level actor issued denials of takeover-related outcomes such as discrimination against Black students [Newton, DG, Aug. 14, 2015], intent to charterize the district post-takeover [Ledbetter, DG, Feb. 1, 2015], and increased segregation of schools due to charters [Ritter, DG, Sep. 29, 2015]. When policy actors deny the consequences of their actions, and believe the denial, self-exoneration appears unnecessary.

Table 15

Moral Disengagement: Dismissal

Sub-mechanism	Individual (n)	Organizational	Institutional
<i>Denial</i>	Journalists (2)		
	Bureaucrats (3)	Arkansas Learns	
	Politicians (1)	Forward Arkansas	<i>Doe v. DOE</i>
	Advocates (3)	Office for Ed. Policy	
	Educators (2)		
<i>Distortion</i>	Journalists (3)		
	Bureaucrats (8)	Arkansas Learns	<i>Doe v. DOE</i>
	Politicians (3)	Office for Ed. Policy	<i>Code (Choice)</i>
	Educators (2)		
<i>Disregard</i>	Journalists (8)		
	Bureaucrats (7)	Arkansas Learns	
	Politicians (4)	Forward Arkansas	<i>Doe v. DOE</i>
	Advocates (3)	Office for Ed. Policy	
	Educators (2)		

Note. Individual-level frequencies (n) are the number of distinct individuals from each policy actor group who utilized a given mechanism at least once.

Following the takeover vote, State Board Chair Sam Ledbetter (a Democratic appointee with a liberal reputation) responded to accusations that the state intended to charterize the entire district (i.e., convert all schools to charter schools managed by independent firms), saying, “That’s the very last thing I would support—my record there is clear” [Ledbetter, DG, Feb. 1, 2015]. One month later, white Republican Bruce Cozaart introduced HB 1755 in the General Assembly to do just that. Ledbetter (who, as chair of the State Board, cast the tie-breaking vote in favor of takeover) said then, “My thought process would have been different had this bill been pending at the time” [Ledbetter, Mar. 12, 2015]. Essentially, had he suspected this would be the outcome, the takeover would not have occurred. He continued, saying that from his vantage point in the state Board, proceedings concerning the takeover of LRSD were not deliberated with a plan to turn over distressed schools to charters.

This is not anything that I had in mind. It wasn’t anything that I wasn’t aware of, it hadn’t been discussed with me. It wasn’t any...you know, a lot of people I think

feel like there was this grand scheme all along. If there was a grand scheme to takeover Little Rock so we could put in an achievement district, or whatever this is, nobody let me in on it. [Ledbetter, AT, Mar. 12, 2015]

Whether Ledbetter's initial denial arose from his own lack of familiarity with the governor's education agenda, from naiveté toward the ultimate aims of reformists in Little Rock, or sincere belief that neither the governor nor the reformists intended a district-wide charter-ization, his denial still served as a self-exoneration for the role his tie-breaking vote for takeover played in the charter-ization effort.

Another common example of denial concerned the segregating effects of charter schools on the district. The *Democrat-Gazette's* editorial page Editor, as well as Gary Newton of Arkansas Learns and John Ritter of the University of Arkansas Office for Education Policy (both Walton-funded pro-charter organizations) issued the most direct denials. "There is just no basis to allege that charters are causing racial segregation of the Little Rock public schools. It's just plain silly" [Ritter, DG, Sep. 29, 2015]. Ritter's certainty is striking, since there is evidence that charters have an effect on enrollment proportionality by race in school districts (Bifulco & Ladd, 2007; Scott & Quinn, 2014). Regardless of the effects of charter school enrollment, charter school proponents still claimed any racially disparate effects were random: "Some claim eStem and other charter schools skim the best students. But since admissions are done by random lottery, it is impossible for the school to pick which students get accepted" [Editor, DG, Mar. 10, 2016]. This argument goes beyond diffusion and displacement of responsibility, discussed previously, in which any racially disparate effects are attributed to the market and/or the policy. By denying racially disparate effects of supposed "blind open

enrollment” [Newton, DG, Feb. 18, 2016], policy actors render diffusing or displacing responsibility unnecessary.

Distortion. Individuals from four policy actor groups, two organizational-level actors, and both institutional-level actors distorted the outcomes of takeover-related actions by either minimizing the extent of the harm caused by those actions or by misconstruing the outcomes themselves.

Minimization. Tony Wood, who was the state commissioner of education at the time of the takeover, attempted to soften the blow of the takeover vote just minutes after it occurred: “The buses will run, lunch will be served, and children will learn. We can use the semantics of state takeover or whatever, but fundamentally, this is about governance. School will go on successfully” [Wood, AT, Jan. 28, 2015]. Wood’s statement referred to the everyday functioning of schools, as if parent and community opposition to the takeover was about daily operations and not democratic governance. Such minimization of the disruptive nature of dissolving the school board makes opposition seem like an overreaction. The D-G Editor made the same argument. The use of the word “just” in the excerpt below is ironic, given the gravity of the situation:

It’s just that the school board has been disbanded. The superintendent, Dr. Dexter Suggs, has been retained. The buses will still run in the mornings and afternoons. Math classes and pop quizzes will still be a part of the regular school day. And expect graduation ceremonies to be right on time. [Editor, DG, Feb. 1, 2015]

Even though the Editor had no authority announcing everything would be continuing as normal, the immediate response in the aftermath of the vote was to calm fears, to

minimize the harm done. This editorial impulse seems to run counter to the notion that the purpose of the takeover was to prevent things from continuing as normal.

Displaced LRSD Board President Greg Adams employed similar minimization of the gravity of the takeover by dismissing the importance of the lawsuits filed against it, saying he “personally would not favor being part of a court battle that would take away from the focus on students” [Adams, DG, Jan. 29, 2015]. Two lawsuits were filed, one by Black families in the LRSD who claimed the takeover was discriminatory, and another by former members of the school board claiming the state overstepped its authority. The implication in Adams’s comment was that these lawsuits did not represent the interests of students, a point State Commissioner Johnny Key made more explicit: “It is premature to comment on the veracity of the claims made in the lawsuit. This we do know: Student learning occurs in the classroom, not the courtroom” [Key, DG, Oct. 9, 2015]. Key’s assertion connects back to Wood’s initial attempt to reassure parents at the time of the takeover vote that everything at the school and classroom level would continue as normal, unaffected by policymakers and the courts.

Misconstrual. Policy actors misconstrue outcomes by exaggerating them, partially reporting them, or misrepresenting them altogether. Consider the following representation of teacher quality in LRSD, from the D-G editor:

Hard as it is to believe, in the past 20 years, one (1) teacher has been fired by the school board for poor performance, according to its superintendent. Over the past twenty years. Sure, not all teachers might appeal their firing to the full school board. But if you were the boss of a widget factory, and that factory was failing and flailing at every turn, and for years at that, and you had fired one (1) widget-

maker over that time for poor performance, what kind of businessman would you be? Answer: not a very good one. [Editor, DG, Jan. 28, 2015]

This accusation casts the board as unresponsive or negligent, since one might expect many more teacher firings from a district in academic distress (“failing and flailing at every turn”). However, with only six of 48 schools below the state threshold for academic distress, the district is not in such dire straits as the Editor claims. More importantly, however, is that the school board does not fire teachers; principals do.

The Editor alludes to this in an aside but proceeds to use the single firing as the basis of the argument anyway. Only teachers who had appealed the decision of their principal would have their dismissal placed before the school board, but the Editor does not offer numbers of teachers who have been dismissed by principals, much less the number who might have been encouraged to retire, switch to a school that is a better fit, or voluntarily leave the district. The Editor’s exaggeration and partial reporting of data makes the school board appear inept, and thus culpable for the takeover themselves.

In the past decade, the district has lost 1,599 white students. And more than 1,200 black students. ... The district doesn’t have just White Flight, but now Black Flight, and as families of other kids begin to learn how poorly their kids are being educated, how long until Asian Flight, Hispanic Flight and Everybody Else Flight? [Editor, DG, Jan. 28, 2015].

Importantly, the number of Black students who had left the district constituted 7.6% of the total population of Black students in LRSD. The percentage of white students, on the other hand, was 35.1% (Little Rock School District, 2015). This means that white students had left the district—either for other districts, for charter schools, or for private

schools—at five times the rate of Black students. To present them as parallel events is an exaggeration that disguises the degree to which white enrollment in charters contributes to resegregation.

Nathan Jensen, a faculty member at the University of Arkansas, Fayetteville, made two contradictory claims in an op-ed about charter schools and integration. His central assertion was that charters “are helping rather than hindering racial desegregation efforts in traditional public schools” [Jensen, DG, Sep. 29, 2015], because white charter enrollees come mostly from schools with disproportionately high white enrollment, and Black and Brown charter enrollees come mostly from schools with disproportionately high Black and Brown enrollment. But he also claimed that:

The number of students transferring to charter schools from schools in Pulaski County is insignificant compared to the total number of students in Pulaski County. ...It seems unlikely that this small number [less than 7 percent] would significantly impact racial integration. [Jensen, Sep. 29, 2015]

Either charter transfers help desegregation, as in Jensen’s first claim, or they have no impact, as in his second claim. If one claim is true, to suggest both are true is misconstrual of the other. Jensen continued:

Restrictions on charter school enrollment in Pulaski County would be detrimental to minority students who are more likely to enroll in charter schools than their white peers and who are more likely to come from families without the economic means to attend private schools or those in more affluent settings. [Jensen, Sep. 29, 2015]

This statement does not square with the earlier claim from the *Democrat-Gazette* Editor that more white students than Black students have left the district for charters in the last 10 years.

Disregard. Individuals from all five policy actor groups, all three organizational-level actors, and one institutional-level actor disregarded the outcomes of takeover-related reforms by either ignoring them, being selectively inattentive, or maintaining plausible deniability through distance from the action itself.

Ignoring. Ignoring differs from denial in that a policy actor, rather than denying an outcome, fails to address the outcome. The question of intent in the act of ignoring (i.e., whether the policy actor deliberately failed to mention an outcome or take it into account) is at the center of the concept of unconscious racism and the discriminatory intent requirement in *Washington v. Davis* and subsequent rulings, including the Marshall opinion in *Doe v. DOE* at the center of the Little Rock case. In light of my own critical positionality and the critical race paradigm in which I have situated this study, I make no distinction between intentional and unintentional omission of facts. Take, for instance, columnist John Brummett's comparison of the Little Rock takeover and the Pulaski County takeover:

In the Pulaski County Special School District, state takeover has led to improvements that would not have been made as expeditiously, if at all, under the constraints of local board politics. The state-run county district has a plan for dealing with the imminent loss of special state desegregation money. The Little Rock district? Not so much. The school board keeps getting in the way.

[Brummett, DG, Jan. 22, 2015]

This comparison ignores several important differences between the two districts. First, PCSSD is majority white and LRSD is majority Black, so the racial disfranchisement of a takeover by majority white state policy actors is not as pronounced. Second, PCSSD was taken over due to fiscal distress, and LRSD was takeover due to academic distress. It could be argued that the implications for leadership and instruction are less complex in cases of district fiscal distress. Third, municipalities within the PCSSD have begun to split from the district to create city districts of their own, and there is no such splintering occurring in LRSD. Indeed, the current boundaries of PCSSD were the result of court-ordered integration, and the impact of this boundary on the racial makeup of LRSD has been the subject of litigation since the 1970s (Baer, 2008; Jordan, 2017; Shukur & Walker, 2017). These are important differences that Brummett's comparison ignores when he advocates takeover as a panacea.

Selective inattention. The difference between ignoring and selective inattention is that an ignored outcome may go unmentioned, but a selectively attended outcome may go partially addressed such that the omission benefits the policy actor. Consider Attorney General Leslie Rutledge's argument about whether the takeover was discriminatory against Black students and families: "The state Board's assumption of the authority of the LRSD board affected the entire district. Its action equally affected all students, parents and members of the LRSD board, regardless of race or other classification" [Rutledge, DG, Feb. 11, 2016]. Rutledge avoids saying there were no negative outcomes of the takeover; her point is that whatever negative outcomes there might have been equally affected all students and families in the district. This is acknowledgement that negative impacts are possible, but selective inattention to the ways in which policies like takeover

(Morel, 2016; Oluwole & Green, 2009), school choice (Bifulco & Ladd, 2007; Scott & Quinn, 2014), and funding formulas (Adamson & Darling-Hammond, 2012; Alemán, 2007) have racially disparate negative impacts.

Not surprisingly, another policy area in which selective inattention to negative outcomes is charter schools. In the debate over whether to increase the enrollment caps of the two largest (and whitest) charter networks in Little Rock, Superintendent Baker Kurrus and others noted that such continued expansions were creating parallel school systems more akin to districts, not just singular schools, to compete with LRSD for enrollment. The Editor of the *Democrat-Gazette* disagreed with the comparison:

Not a great analogy for somebody of Mr. Kurrus' knowledge and experience. Mostly because charter schools are all independent. They aren't a part of a system; eStem and, say, LISA Academy aren't connected. There is no parallel school system, as Joyce Elliott complains, because there's only one system, and another group of unconnected charter schools. Unlike a parallel school system, these charter schools compete with each other for students. [Editor, DG, May 17, 2016]

The Editor's argument is technically true, since most charters are single-school entities. However, several charter organizations near LRSD offer K-8 or K-12 options for students through a network of several schools. For example, Exalt Education has two elementary schools and one middle school. LiSA and eStem are both K-12 systems with six and three schools, respectively. And Quest middle and Premier high school are part of a national network of dozens of schools. These networks are independent of each other, but they also exist as parallel K-8/K-12 systems alongside each other and LRSD. Since this basic

knowledge about these charter organizations was not acknowledged by the Editor, it is plausible that it was selectively ignored.

Distance from action. When policy actors claim to be so removed from an action that they are unaware of its outcomes, they are able to rationalize ignorance of those outcomes. Distance can have many meanings, such as the passage of time since an action or the policy actor's level of direct involvement in an action. This type of dismissal could also be applied to many instances of diffusion and displacement of responsibility. For example, displacement of responsibility further up or down the organizational hierarchy also creates distance between the policy actor and the outcome. Displaced LRSD Board President Greg Adams calls for calm in the aftermath of the takeover vote:

It has been a short time, less than three weeks, since the takeover and disappointments and anger understandably continue to be fresh and felt deeply. For the good of the students, however, I believe our efforts are best served by a focus on where we are today and where we're going. Clearly, there is much that is uncertain and that is anxiety-producing for many, if not all, of us. I am certainly anxiously waiting and watching for the directions that will be taken for the LRSD. Patient engagement is not an easy task, but I believe it is the one we have.

[Adams, AT, Feb. 16, 2015]

This effort at reassurance and galvanization on Adams's part could amount to a form of presentism, or dismissal of past harms in order to "move forward" or "get beyond" the negative outcomes (Bonilla-Silva, 2014). Despite his opposition to the takeover, this effort to focus on moving forward also amounts to a dismissal of the takeover's negative impact, such as disfranchisement and proliferation of school choice policies, which

continued to affect Black students, families, and leaders, despite Adams's dismissal of them. This is tantamount to presentism, a concept from Bonilla-Silva's (2014) theory of colorblind racism, in which an actor de-emphasizes the errors of the past in favor of focusing on the present. The effect of presentism is that individuals' condition in the present is without context; without context, differences between people are more easily assumed to be either inherent or the result of their own behavior.

Victim locus. The people most likely to bear the brunt of the negative impact of the takeover and takeover-related policies include Black students and families, Black residents whose interests were represented by their democratically elected school board, and the members of the board themselves. Recall from Chapter 2 that Black and Brown students, families, and communities are more negatively impacted by state takeovers when there is no mechanism for representation in governance (Morel, 2016). Of all the associated outcomes in the takeover, the most plainly visible and easily communicated is that members of a majority Black representative body, representing a majority Black district, were displaced and replaced by a single white commissioner. According to Bandura (2016), policy actors aware of the optics, or appearance, of such a move could be expected to blame and dehumanize the members of the board in order to make the takeover seem as though they either (a) brought it upon themselves, or (b) would not be as sensitive to its effects as some would expect.

Blame. Policy actors might blame those affected by a policy action by casting their defense against its consequences as an instigation of the act itself, by painting themselves as the actual victims of harms perpetrated by the marginalized group, or by blaming the victims directly through appeals to stereotypes or rationalizations due to

cultural differences or social conditions (Bandura, 2016). I found examples of victim-blaming across four individual-level policy actor groups, and all organizational- and institutional-level actors (see Table 16).

Table 16

Moral Disengagement: Victim Blaming

Sub-mechanism	Individual (n)	Organizational	Institutional
<i>Defense as instigation</i>	Journalists (3)	Arkansas Learns Forward Arkansas Office for Ed. Policy	-
	Bureaucrats (2)		
	Politicians (1)		
	Advocates (2)		
<i>Self as victim</i>	Journalists (2)	Arkansas Learns Forward Arkansas Office for Ed. Policy	-
	Bureaucrats (3)		
	Advocates (1)		
<i>Victim at fault</i> Stereotypes	Journalists (3)	Forward Arkansas	<i>Code (Choice)</i>
	Bureaucrats (5)		
	Politicians (1)		
Cultural differences	Journalists (3)	Forward Arkansas	<i>Doe v. DOE</i> <i>Code (Choice)</i>
	Bureaucrats (7)		
	Politicians (1)		
Social conditions	Journalists (3)	Forward Arkansas	<i>Code (Choice)</i>
	Bureaucrats (2)		
	Politicians (2)		
	Advocates (3)		

Note. Individual-level frequencies (n) are the number of distinct individuals from each policy actor group who utilized a given mechanism at least once.

Defense as instigation. Policy actors portray victims as the agents of their own oppression by presenting their defense against oppression as the cause of the harm. Black people in Little Rock have faced marginalization and disfranchisement for decades, yet white policy actors equate Black leaders’ defense against white supremacy as partisan bickering between two equal sides: “The usual societal, racial and cultural stresses are in play. Some local blacks see state takeover as an insult contemplated only after the district became majority black with a majority black school board. Litigation is threatened, of course” [Brummett, DG, Jan. 22, 2015]. Recall from the beginning of this chapter that Brummett identified the threat of lawsuits from civil rights attorney John Walker as a

reason not to take over the district. Here, he again presented civil rights litigation as part of a suite of “stresses” on politics in Little Rock, which he called “divisive” and “destructive” [Brummett, DG, Jan. 22, 2015]. Similarly, in conflating Black resistance to disfranchisement with the academic distress of schools, the Democrat-Gazette Editor accused Senator Joyce Elliott, a former teacher and prominent Black leader in Little Rock of defending “the sorry status ever quo in public education” [Editor, DG, Jan. 12, 2015].

After the takeover, the man who cast the deciding takeover vote attributed the political turmoil to takeover opponents:

The essential challenge is not to lose the local passion that the takeover issue generated. It is to convince local patrons that the state takeover is not their enemy, but can become their much more effective friend. That will take political repair. A lot of times people get so emotional they prefer fiery and destructive rhetoric to common ground. [Ledbetter, DG, Feb. 1, 2015]

Months later, the state-appointed superintendent compared local opposition to people in a boat “[paddling] against each other or even [poking] holes in the boat” [Kurrus, DG, Jun. 24, 2015]. His solution: “Get in the boat and paddle in the same direction” [Kurrus, DG, Jun. 24, 2015]. These portrayals of Black resistance as disagreeableness, instigation, or sabotage disguise the power imbalance inherent in racial politics in Little Rock, and—by casting self-defense as provocation—make the marginalized appear to have caused their own victimization. The Editor of the Democrat-Gazette put this in stark terms: “It seems the louder opposition to education reform in Little Rock comes prominently from one corner: the corner of those who no longer call the shots” [Editor, DG, May 17, 2016].

Self as victim. Another way in which policy actors may blame victims is by playing the victim themselves. Then the victim becomes the agent, and the harmful policy appears to be a defense against aggression. For example, school choice advocate Gary Newton claimed more charter schools were necessary to make up for the work the district was not doing: “Little Rock School District educates the lowest percentage of its school-age population of any district in Arkansas” [Newton, DG, Aug. 13, 2015]. Newton suggested LRSD was not doing its fair share, but he failed to mention that there were more charter schools within the boundaries of LRSD than any other district in the state (Brantley, 2016a). He also, curiously, made this point while advocating for more charter schools. This circular logic blames the district for leaving policymakers with no other choice but to create more seats in charter schools to serve the kids LRSD will not serve.

Policy actors also claimed that students themselves were the aggressors, either by having special needs or by simply not caring about school:

In a city like ours where you have wide disparities in income—and income correlates to student achievement at the earliest grades—we have to deal with that. That’s a huge reality in our world. ...Some private or charter schools don’t deal with that, but we do. And we don’t run from the challenge. ...We feel like that’s the work that’s calling us every day. [Kurrus, AT, Aug. 20, 2015]

Kurrus’s argument is that school choice results in the district serving a higher proportion of special needs students, which is true of choice policies nationally (Waitoller et al., 2017). However, to make this plea is arguably to walk a fine line between advocating for public schools and blaming students for the district’s performance. Explaining why

parents leave the district, Kurrus later said, “Parents want their kids to be around other kids who are on fire to learn” [Kurrus, DG, Nov. 4, 2015]. Here the implication is that parents suffer because their kids go to school with other kids who do not want to be there as much as their kids do. Such framing blames other students for forcing parents to leave the district.

Victim as perpetrator. Victim-as-perpetrator arguments are similar to self-as-victim arguments, in that the victim is the perpetrator in both. However, the policy actor using the victim-as-perpetrator argument is not the recipient of the harm; the victim is both perpetrator and perpetrated upon. This mechanism can take three forms. Policy actors either (a) appeal to stereotypes as the cause of the harm, (b) blame social conditions for predetermining the self-harm, or (c) claim the behaviors that caused the harm are the result of cultural differences between the victims and the policy actors.

Stereotypes utilized in this case included that of Black students as at-risk and of Black families as broken. The morning after the takeover vote, the *Democrat-Gazette* Editor attempted a lighthearted inspirational call to arms: “It’s going to take work, caring, work, late nights, work, uncomfortable meetings and work. And that’s just for the students. The adults running the show will have to toil even harder” [Editor, DG, Jan. 29, 2015]. The they-brought-it-on-themselves perspective here is understated, but present, since the Editor appears to be saying that whatever pre-takeover effort students were putting in will not be sufficient post-takeover. A few days later, however, the Editor was more explicit:

No doubt a lot of kids do great in Little Rock’s schools, even in the schools the state labeled as Academically Distressed, especially when those kids have a

couple of caring parents at home. The problem is that far too many other kids have done so poorly. [Editor, DG, Feb. 1, 2015]

Now it is students' parents, who are apparently either single or apathetic, who have necessitated the takeover.

The Editor of the *Arkansas Times*, Max Brantley, in criticizing the pro-reform, pro-charter, pro-takeover bias of the *Democrat-Gazette* editorial page, nonetheless appealed to similar tropes:

The page is dictated philosophically by its publisher, school “reform” advocate Walter Hussman, whose family has darkened the doors of few schools public or private in Little Rock. But he’s expert enough to be sure that killing teacher unions, killing the Little Rock School District and otherwise blowing up the egalitarian public school system with privately run charter schools are the solutions to education woes. Never mind addressing *the root problem—impoverished, dysfunctional families who’ve yet to be lifted systematically by any school yet devised*, be it KIPP, eStem or a utopian Waltonia. [Brantley, AT, Sep. 17, 2015, emphasis added]

Brantley’s diagnosis also relied on familiar stereotypes to blame families. By describing the families as impoverished and dysfunctional—as part of a progressive argument against a conservative editorial page—Brantley failed to identify the policies that have created poverty and “broken up” families (also a deficit-based assumption, not a fact). He alluded to a need for systematic lifting up, but his critique still rests on a description of the families, not the system.

The use of cultural differences is similar to the use of stereotypes, although they are somewhat distinct. The distinction I used in my analysis is that while stereotypes are qualities attributed to whole groups of people, they are presented as surmountable obstacles for individuals. Cultural differences, however, are presented as characteristics more essential to a group's identity. There are not hard and fast differences, and there was some overlap (i.e., many excerpts were cross-coded as appeals to both stereotypes and cultural differences). Sometimes, the cultural argument was explicit, as when columnist John Brummett wrote in opposition to the establishment of the Achievement School District: "But essentially privatizing an entire urban school district because culturally challenged enrollments in six of 48 schools are not producing decent test scores—that is too much" [Brummett, DG, Apr. 23, 2015]. Brummett identified the culture of the students at the six identified schools as the cause of their performance. Importantly, he described their culture as not only different, but challenged. Similarly, the Editor of the *Democrat-Gazette* implicitly compared the culture of students and families in Little Rock to the students and families of European immigrants at the turn of the 20th century: "How ever could that have happened? It happened, in great and decisive part, because of the American public school system, which accepted no excuses, and refused to lower its standards for anybody" [Editor, DG, Jan. 12, 2015]. The corollary of this assertion is that the school system now does accept excuses and lower its standards for some students.

Appeals to social conditions may be the softest form of victim-blaming, but also the most patronizing. At its core, an appeal to social conditions is an acknowledgement that there are systemic causes (i.e., policies) of factors like poverty and test score gaps

between white and Black students. But such appeals also risk stripping agency from students from low-SES households or from marginalized groups, rendering their performance in school as a mechanistic outcome of social policy. The *Democrat-Gazette* Editor expressed doubt that social policy would ever be able to correct the ills of society:

[Elliott's] prescription for the schools adds up to: Wait-indefinitely. Because if the schools have to wait for the perfect society to take shape before trying to perfect the schools, we'll all be waiting forever. Once again we're told that people's social and economic backgrounds preclude any real progress in public education.

[Editor, DG, Jan. 12, 2015]

This paints the victims of social policy, apparently trapped in hopeless structural oppression, as still weighing down the performance of their schools and thus necessitating state takeover.

Once again, *Arkansas Times* Editor Max Brantley took issue with the *Democrat-Gazette* perspective while still relying on the same deficit-based assumptions: "Too many blame the Little Rock School District for societal ills. The schools in distress are all-minority and all-poor, a demographic that has proven resistant to dramatic education advancement just about everywhere in America" [Brantley, AT, Jan. 25, 2015]. Brantley later referred to LRSD students as an "overwhelming population of at-risk poor minority kids" [Brantley, AT, Mar. 17, 2015]. His defense against the takeover is to not hold the school district accountable for student performances caused by bad social policy. But again, he does not identify the policies at fault; he identifies the "demographic" at fault.

Dehumanization. By portraying the victims of negative outcomes of policies as less than human, policy actors suggest that they do not experience those negative

outcomes as others would. Dehumanization can occur through (a) subhumanization, or painting a group of people as lower than human, or as a lower class of person; (b) demonization, or portrayal of people as animalistic in their behaviors or evil in their intentions; or (c) depersonalization, or presenting people as abstract stereotypes (typecasting) or as mere manifestations of data (digitization). I found examples of dehumanization in four policy actor groups, and among every organizational- and institutional-level actor (see Table 17).

Table 17

Moral Disengagement: Dehumanization

Sub-mechanism	Individual (n)	Organizational	Institutional
<i>Subhumanization</i>	Journalists (3) Bureaucrats (2) Politicians (1) Advocates (1)	Arkansas Learns Forward Arkansas Office for Ed. Policy	<i>Code (Choice)</i>
<i>Demonization</i>	Journalists (2)	-	-
<i>Depersonalization</i>	Journalists (2) Bureaucrats (2) Politicians (2)	Arkansas Learns Forward Arkansas Office for Ed. Policy	<i>Doe v. DOE</i> <i>Code (Choice)</i>

Note. Individual-level frequencies (n) are the number of distinct individuals from each policy actor group who utilized a given mechanism at least once.

Subhumanization. Policy actors attribute subhuman qualities to their opposition in order to lessen the contrast between a victim’s actions and the harm inflicted upon them by a policy. A letter from LRSD board member Leslie Fisker to the state board of education complaining about her fellow board members initiated the takeover of LRSD. The portrayal of board members in the letter was consistent with other portrayals of board members and their allies as race hustlers, demagogues, and Boo Radley [AL, Apr. 16, 2016]. In the letter, Fisker listed numerous grievances she had with the board majority’s treatment of then-Superintendent Dexter Suggs, as well as their general behavior during

meetings. She described those board members as duplicitous, incapable, irrational, and hysterical obstacles to the superintendent's improvement agenda.

Fisken referred to the board majority's feedback to the superintendent and questions about district initiatives as "nonsensical commentary" [Fisken, AT, Jan. 4, 2015], which is dismissive of the legitimacy and coherence of their perspective. She portrayed board members' opposition to Suggs's agenda as "rude, inconsiderate, patronizing, and insulting" [Fisken, AT, Jan. 4, 2015], portraying them more like petulant children than community leaders. Nevertheless she speculated that, because they monitor cell phones and social media in board meetings, "some of their opinions and motions made during the meetings come from outside sources" [Fisken, AT, Jan. 4, 2015], implying that they are incapable of thinking for themselves. Finally, she said she felt from them a "tone of arrogance, power, and control" in executive session, when others were not present and proceedings were not made public, which she deemed "hostile, degrading, and unconscionable" [Fisken, AT, Jan. 4, 2015]. Fisken's rhetoric is severe, and its effect is to debase the elected members of the Board who happen to be her opposition, which is additionally problematic given both Fisken's youth and whiteness, in contrast to the more senior members of the Black majority. It was a racial microaggression for a young white board member to question the reasoning of more experienced, longer-serving public officials who are Black (Bonilla-Silva, 2012). By asserting her whiteness, she expanded her own history of antagonism on the local board into a state-level political controversy, the terms of which she herself was able to define from the beginning.

Demonization. By demonizing those harmed by a particular policy, policy actors are able to portray their opponents as villains, not victims. The starkest examples of this were from the Editor of the *Democrat-Gazette*, whose editorials are anonymous. Overall, the editorials in the *Democrat-Gazette* were the least diplomatic, nuanced discourse in the sample. For example, the Editor claimed previous district leaders had simply ignored failure, and published an editorial that sarcastically opposed Baker Kurrus's proposal to address it directly:

How old-fashioned. How retrograde. Not at all fashionable. Where's the educanto, the pseudo-scientific jargon that mod educators employ to cover their lack of solid ideas? Where is the psychobabble, the pretentious formulations that educationists fall back on when somebody notices that the kids are failing tests and falling further and further behind? [Editor, DG, Jul. 28, 2015]

This description of district administrators is a list of insults that casts educators as malicious quacks. In contrast, Kurrus and other state-level reformers appear not only well meaning, but on the defensive against the demonized educators.

Little by little, as in two steps forward for one backward, both state law and local education in Little Rock are beginning to serve the needs of our kids—instead of the lawyers, politicians, race-hustlers, and patronage-dispensers who for too long have used the Little Rock School District for their own self-interested purposes.

[Editor, DG, Nov. 4, 2015]

Here the Editor described educators as a selfish and corrupt lot whose influence over district policy is decreasing as a result of the takeover. The attachment of ulterior motives to district leaders is a kind of advantageous comparison between the state's approach to

improvement and the dissolved board's approach. But the comparison is not between favorable and unfavorable policy actions; it is between good people and bad people.

Depersonalization. Depersonalization is slightly different from dehumanization. Rather than stripping a person of his or her humanity (dehumanization), depersonalizing removes a person's sense of individuality. Depersonalization occurs in helping professions as an emotional distancing mechanism for those who work with many people with diverse and sometimes serious needs. One common method is typecasting of individuals, placing them in fixed categories based on superficial or obvious characteristics. In the discourse of takeover, the most common instance of typecasting was placing an organizational designation like Academic Distress onto students. LRSD board member Jim Ross, a vocal opponent of takeover even long after it occurred, argued: "This board's going to move some teachers around. We're going to find teachers who want to work with these populations specifically. We're going to incentivize buildings where these distressed kids are" [Ross, AT, Jan. 26, 2015]. The language error in his statement, referring to students as distressed when it is actually the school that is distressed, applied an organizational designation to a group of people. This is an example of how supposedly objective statistical categories become labels of deficiency stamped on actual human beings. Displaced board member Greg Adams made the same conflating error in imploring the state board to prevent charter expansion in Little Rock: "I ask you again to keep the priority needs of the academically distressed students in the Little Rock district as the top priority and not compromise that value" [Adams, DG, Feb. 12, 2016].

But former chairman of the state board Sam Ledbetter also used the same organizational terminology to refer to students:

The LRSD was taken over by the state out of a concern for the students in academic distress. History tells us that most academically distressed and high-need students will remain in the LRSD no matter how large these charter schools become. These remaining students require significantly more resources to reach proficiency in math and literacy. [Ledbetter, DG, Feb. 14, 2016]

In this excerpt, Ledbetter was advocating against charter expansion as a citizen, since his tenure as chair and member of the board had expired. Ledbetter cast the deciding vote for takeover thinking that increased charter enrollment would not be on the state's agenda, but within months found himself advocating against charter-ization of the entire district, as well as expansion of enrollment caps for two disproportionately white charter networks. Yet, in his critique of those policies, he still used language that typecast students based on the state performance classification of their schools.

When policy actors depersonalize students and communities by reducing them to data points or digital representation, it becomes easier to discuss policies in terms of how they affect data instead of how they affect people. For instance, Arkansas Times Editor Max Brantley said, "Find me a school district with 80 percent impoverished students scoring in the top quartile and hire their superintendent" [Brantley, AT, Jan. 8, 2015]. Brantley's admonishment of takeover proponents furthers the misconception that schools alone can correct for inequalities caused by bad social policy. The reduction of students and communities to percentages and quartiles, while quite common in education discourse in the age of accountability, is nonetheless a digitization of people into data points, or impersonal blocs of normed categories.

Organizational- and institutional-level actors used depersonalization through digitization extensively, perhaps due to their reliance upon data in their communications. This is not to suggest that these actors are more likely than individual actors to depersonalize or digitize, but Bandura (2016) would argue the cumulative effect of such continual digitization is depersonalization. As policies are increasingly discussed in terms of numbers, the people affected by those policies become numbers, too.

Forward Arkansas, the public-private partnership for statewide education planning funded largely by the Walton Family Foundation, suggested that federal equity funds be withheld from schools if they are not performing: “Tie a portion of English Language Learner and National School Lunch program funding to evidence of district effectiveness in supporting ELL and NSL students” [FA, Full Report, Jan. 26, 2015]. English Language Learners and students from low-SES households require more resources, not fewer, yet this policy proposes to withdraw funding from the schools that educate them. These students then become a funding liability for schools. The same report acknowledged this fact: “Regional differences are especially challenging for minority and lower-income students who—in disproportionate numbers—attend school in the lower-performing regions” [FA, Full Report, Jan. 26, 2015]. Taken together, these two assertions present a cycle of funding depletion sustained by achievement gaps produced by current approaches to testing (Au, 2016; Gillborn, 2017; Stewart, 2015).

Conclusion

This study was an investigation of the extent to which the critical race theory’s (CRT) legal principle of unconscious racism was relevant to the takeover of LRSD, as well as a conceptual inquiry into the fit of Lawrence’s theory of unconscious racism with

Bandura's theory of moral disengagement. I believe the answers to the research questions at the center of this study are clear. To summarize the above findings:

1. The U.S. District Court opinion in *Doe*—in which the attorneys for a group of Black families claimed that the takeover amounted to racial discrimination against Black students and families—asserted the discriminatory intent requirement of *Arlington*, a parallel case to *Davis*, on which Lawrence (1995) based his critical race theory of unconscious racism. The Court's decision to dismiss the plaintiffs' case in *Doe* rested on the denial of unconscious racism.
2. In the sampled discourse of individual white policy actors in Little Rock, I identified a substantial number of instances of morally disengaging discourse at each of Bandura's (2016) four loci (i.e., behavior, agency, outcome, victim); of each of the eight mechanisms (i.e., justification, euphemism, comparison, diffusion, displacement, dismissal, blame, dehumanization); and of various subtypes within each of those mechanisms.

In light of these two summary findings, I assert that (a) the CRT tenet of unconscious racism is applicable in the case of the state takeover of LRSD, which makes the takeover itself a relevant subject for a study of CRT in education policy; and (b) the rhetoric of moral disengagement was evident in the takeover discourse of white policy actors in Little Rock at the time of the takeover and in the subsequent months.

My central research question concerning the extent to which moral disengagement is compatible with or complementary to CRT in education policy, must be answered with a conceptual argument. My discussion of this argument appears in Chapter 5, but in brief, I believe my findings demonstrate that the social psychological concept of moral

disengagement (Bandura, 2016) does complement the CRT tenet of unconscious racism (Lawrence, 1995a), potentially describing the role of discourse—and of legal and policy discourse specifically—in the continual reconstruction of white supremacy in the present.

CHAPTER FIVE

Discussion

I am rooting for Arkansas because when I look at Coach [Nolan] Richardson, he reminds me of my Dad and Justice [Thurgood] Marshall. He is a serious, dignified man who has risen to the top of his profession by virtue of his genius and his humanity. He cares deeply for the young men he teaches. He has high expectations for them and demands much of them. Richardson is a brilliant coach. He has one of the best win/loss records of any coach currently coaching in Division I basketball—but you don't hear his name mentioned when people talk about great basketball minds. Sports writers call him a "good recruiter" and a "motivator." The kids on his teams are "great natural athletes." The T.V. commentators don't use words like "discipline" and "execution" when they talk about Richardson's team. Arkansas plays "street ball." ...Nolan Richardson knows that there is racial meaning in these words. This is why I am rooting for Arkansas. (Charles Lawrence, *The Epidemiology of Colorblindness*, 1995b)

The above excerpt is from one of several essays Lawrence wrote after the publication of his original *The Id, the Ego, and Equal Protection* (1995a). In it he discussed several instances in which a person used language that, for Lawrence, had clear racial meaning but that the speaker likely did not realize. Such language was, he explained, the rhetorical manifestation of a racial ideology built on psychological dissociation from the racist impacts of one's actions. Nonetheless, the effects of such language were still marginalizing to him and to the recipients, or victims, of such rhetoric. White listeners also consumed common racial and racist understandings via such implicit rhetoric, themselves learning how to express these implicit beliefs and biases in such covert ways. This study should not be construed as an indictment of the motives of individual policy actors; the methods I used were not appropriate for identifying specific policy actors' beliefs. Rather, this was a study of how individuals' policy talk came

together to comprise a morally disengaging policy arena. There is the potential, with the framework of moral disengagement, to identify the agents of moral disengagement. I discuss what this would take in the Implications section of this chapter.

This study of the education policy discourse of white policy actors in the wake of the state takeover of Little Rock School District (LRSD) was undertaken to investigate the compatibility of two paradigmatically distinct theories: (a) unconscious racism, which arose from critical race theory in legal scholarship, a critical and interpretive methodology; and (b) moral disengagement, which came from social psychology and is studied through more positivistic, quantitative research approaches. Charles Lawrence (1995a) introduced the theory of unconscious racism to explain the futility of requirements from the U.S. Supreme Court in *Washington v. Davis* (1976) for explicit evidence of racist intent in discrimination suits. Albert Bandura (1999) introduced the theory of moral disengagement to explain how people rationalize behaviors they know to be immoral, such as genocide and war. As a critical scholar, I conducted this study from a specific standpoint (Au, 2012), or a set of first premises that motivate critical scholarship. These first premises come from critical race theory (Bell, 1995), and the most relevant of them are that (a) racism is a feature, not a bug, of the American political and educational systems and values (Delgado & Stefancic, 2012); (b) institutional racism is not a passively inherited state of being determined by abstract forces, but the result of individual actions in the present that continually reconstruct white supremacy (Leonardo, 2016); and (c) it is the well-intentioned policies and values of ostensibly antiracist liberals and progressives that require the most scrutiny for the ways in which they reconstruct white supremacy (Gillborn, 2016).

The overarching research question at the center of this study was a conceptual one, but the two sub-questions it implied were empirical:

RQ1: To what extent is Bandura's theory of moral disengagement applicable in cases implicated by Lawrence's theory of unconscious racism?

RQ1a: How is the case of the state takeover of Little Rock School District a case of unconscious racism?

RQ1b: What mechanisms of *moral disengagement* are evident in the discourse of the takeover?

Recall from Chapter 4 that, in *Doe v. Arkansas Department of Education* (2016), the U.S. District Court asserted precedent from the *Arlington Heights v. Metropolitan Housing Development Corporation* (1977), a sister decision of *Davis*, that explicit discriminatory intent of policymakers must be demonstrated for Black families in Little Rock to prove that the takeover discriminated against Black families. In this opinion, in which the Court dismissed the discrimination claims of Black families in the state takeover of the school district, the critical race tenet of unconscious racism was invoked. So the answer to RQ1a is that yes, the theory of unconscious racism is applicable to the LRSD case. Recall additionally from Chapter 4 that a wide variety of examples of morally disengaging rhetoric were identified in the discourse of white individuals from all five categories of symbolic policy elites (van Dijk, 1995b), from both liberals and conservatives. So the answer to RQ1b is that yes, the mechanisms of moral disengagement were evident in the takeover discourse of white policy actors in this case.

In this chapter, in order to answer RQ1, I connect the theory of unconscious racism and the framework of moral disengagement to show that Lawrence's theory of

racism beyond the realm of the explicit, combined with Bandura's theory of moral rationalization of otherwise deplorable conduct, together are a better explanation of discriminatory intent than theories of implicit bias (Kang et al., 2012) and aversive racism (Dovidio et al., 2016). Implicit bias is a behavioral-level reflex studied via reaction times to pictures and words (Kang, 2010). It is ill-equipped as a framework to explain the persistence of generational white supremacy in a culture in which racism is frowned upon and, in many cases, illegal (Selmi, 2018). Aversive racism is a preemptive abdication of moral decision-making responsibility, also situational and reflexive (Murrell et al., 1994). It is also ill-equipped as a framework to explain the reproduction of white supremacy (Selmi, 2018). Moral disengagement concerns the propping up of an ideology of difference, in which some people are protected by social institutions like morality and law and others are not. Not all speakers are aware of their use of these mechanisms of moral disengagement; some are aware, though they may not understand that moral disengagement is the reason they use the mechanisms. Most listeners are likely unaware of the collective effect of such language, of the influence it has on their own beliefs and opinions. That is why this study was important, to point to how policy discourse influences the way we think about others without our being aware of it.

Moral Disengagement as Intent

First, moral disengagement is not just one individual getting out of a sticky situation. It is a group endeavor dependent on mass buy-in. Second, moral disengagement itself is not a general characteristic or state of being. It is context-specific, and that context is comprised of the agents, outcomes, and victims of a specific behavior. When people use these mechanisms, it is because they know they need forgiveness for the

impact of their actions (Bandura, 2016). Their primary goal is self-exoneration. But in a democratic social system ostensibly built on popular consent, what they also do is provide rationale for others to self-exonerate. At the social systems level, “collective moral disengagement is not simply the aggregation of the moral exonerations of its individual members operating in isolation” (Bandura, 2016, p. 100). It is instead a group characteristic sustained by social interactions and institutions. So, ideology is important to reproducing moral disengagement, and the nature of the behavior at the center of the moral disengagement determines what kind of ideology. In this study, the ideology is white supremacy.

Lawrence (1995a) asserted that the discriminatory effects of laws and policies can be, and usually are, the result of “unconscious racial motivation” to discriminate (p. 237). I propose there are two parts to unconscious racism: (a) the motivation to act, and (b) the justification for having acted. The motivation is transmitted through cultural institutions like the media, and through social relations like “parents, peers, and authority figures” (p. 238). Through acculturation and socialization, discriminatory values and perspectives become ingrained into the way an individual orders the world in his or her mind. In the contemporary era, acts with overtly discriminatory impacts are generally in contrast with the widely accepted “societal ethic that condemns [racist] ideas” (p. 238). Therefore justification works to “exclude [one’s] racism from consciousness” (p. 238). Thus, a morally disengaging justification of an act with known negative effects for Black children and communities betrays the speaker’s awareness of discriminatory impact. But the judicial requirement is that actors act because of, not merely in spite of, discriminatory impact. In order to theorize moral disengagement as a complementary framework for

Lawrence's unconscious racism, it must explain both motivation and justification, as well as reproduction. Racist ideology is transmitted culturally and institutionally (Lawrence, 1995a), so psychological theories of unconscious racism must account for that transmission.

Ideological justifications of racist acts may have a social, economic, moral, or political base; but they only hold sway if the policy actor and the public believe the ideology to be legitimate. This does not mean they must agree with the ideology being used to justify a racist act, just that they believe it is a legitimate position to hold. The Doe opinion asserted just such an argument, presenting such a racially disfranchising state action as dissolution of a majority Black school board in a district with an international historical reputation for marginalization of Black students as merely another democratic political outcome. To make such an argument is not a case of implicit bias, or reflexive in-group preference, as some contemporary theories of racism hold. It is an ideological case for white dominance constructed through legal precedent and judicial logic.

Ideology may be understood as “a defense mechanism against the anxiety felt by those who hold power through means and with motives that they cannot comfortably acknowledge” (Lawrence, 1995a, p. 239). Advocates of takeover deployed a range of justifications in order to shift the takeover discussion to one of economic necessity in order to evade having to defend its clear antidemocratic effects. For example, by advocating for takeover of the district and expansion of charter enrollment caps, takeover proponents and school choice reformists encouraged the disfranchisement of Black people in LRSD and justified that action by saying economic growth, indeed community

survival, demanded it. Such justifications are neither novel or unusual, but the application of a social psychological perspective like moral disengagement to these justifications is. The benefit of this perspective is the application of interdisciplinary theories of knowledge production to racial realism, long identified by critical race theorists. Both CRT and social psychological perspectives can benefit from interdisciplinary approaches (Carbado & Roithmayr, 2014). The particular benefit of moral disengagement as a theoretical framework for the study of white policy narratives is that it can be operationalized as an instrument (i.e., a survey) to observe not only the beliefs of those white policy actors but also the beliefs of their audiences.

For example, pro-charter advocates claimed that attracting new residents and employers to the city required having high-quality schooling alternatives to the majority Black LRSD. This is an example of moral disengagement by economic justification, but it is also an appeal to unconscious racism, since it advocates not for boosting the public school district but for boosting its competitors, which, unlike the LRSD, serve a majority white student population (Brantley, 2016a). Others compared the future of Little Rock itself, if under-enrolled schools were not consolidated, to the postindustrial blight of Detroit, a thinly veiled racist dog-whistle (Bonilla-Silva, 2002). Critical social scientific methods can potentially provide greater detail on the underlying beliefs and perspectives of the pro-charter advocates who utilize moral disengagement mechanisms and dog-whistles, as well as the degree to which they may influence the beliefs and perspectives of voters.

Policy actors who compared takeover to other seemingly parallel situations, in an effort to make takeover appear more favorable, betray the irrational nature of the takeover

argument. Through these arguments, takeover proponents deemphasized race as an element of the debate. Comparisons to the impact of recent school consolidations on local control in several rural Arkansas districts, in addition to ignoring the absence of racial power dynamic in those districts relative to LRSD, failed to note that the rural districts retained local boards and were not handed over to state control. Comparisons to the takeover in PCSSD, which is not a majority Black district, also ignored the racial differences between the districts and the reasons for which they were taken over; PCSSD was taken over for district-wide financial distress, and LRSD for academic distress of six schools. Comparisons to other urban districts under state control or to “achievement districts” in other states ignored overwhelming evidence of racially stratified outcomes. These strategies—justification, euphemism, and comparison—constitute approaches to a policy action that rely on institutions with biases of their own. To the degree that an ideology, moral system, or social institution may be invoked to justify white supremacy and racism, that ideology, system, or institution contributes to the fabric of white supremacy.

The focus on individual responsibility initially asserted in *Davis* and in *Arlington*, later applied specifically to government officials in *Iqbal*, and integral to market ideology, is itself an example of diffusion of responsibility. Because in law and policy there is rarely a single culpable individual policy actor, responsibility for the outcomes is diffused amongst an amorphous crowd (e.g., voters, legislators) and not admissible as evidence in a discrimination suit. To diffuse responsibility amongst an amorphous populous or to displace it onto specific other actors, especially when using other moral disengagement strategies, is a tacit admission of negative impact. To deny, distort, or

disregard negative outcomes is both a tacit admission of negative impact and a manipulation of its severity.

All types of moral disengagement through dismissal of outcomes are not necessarily intentional distortions (i.e., lies, manipulation). Policy actors may unintentionally ignore or disregard an outcome, or minimize the harmful effects of an outcome. Lawrence (1995a) says this can occur because of underlying, perhaps unconscious, bias against a particular group:

Prejudice causes governmental decision makers to misapprehend the costs and benefits of their actions, because they seize upon positive myths about the group to which they belong and negative myths about those groups to which they do not.
(p. 242)

Ideology may also lead to “selective inattention” (Lawrence, 1995a, p. 243) to the consequences of an action for a minority group or any group different from that of a policy actor. Lawrence (1995a) gives the example of environmentalists in *Arlington* arguing for red-lining to preserve an ecosystem adjacent to the area proposed for development. Their support for red-lining arose from their environmentalist views, not because of how it would adversely impact the Black community there. Since discrimination against Black neighborhoods was not an explicit purpose of the red-lining from the environmentalists’ perspective, the Court would say there was no discrimination.

Policy actors may also communicate racist intent through cultural tropes with implied racial meanings (Lawrence, 1995a). Takeover proponents may have blamed victims by calling takeover opponents race-hustlers and demagogues, but the opponents

of takeover also blamed victims by continually referring to students (instead of schools) as academically distressed or at risk, identifying lack of parental involvement as an impediment to achievement, and treating high-need children as costly leftovers from charter schools' pickings. Through this rhetoric policy actors shift the focus from their own behavior to the behaviors of marginalized students and families. As a moral disengagement mechanism, the use of this strategy belies at least subconscious awareness of the speaker's own culpability for student achievement outcomes. Such rhetoric is the discursive equivalent of prematurely hanging up the phone before the Black man on the other end asks for help with his car (Aberson & Ettlin, 2004).

The requirement for individual intent is also rooted in victim blaming. Lawrence claims that, since discriminatory effects can be described as arising from nondiscriminatory actions, any policy outcomes that differ by race can only be explained by inherent group differences. "If there is no discrimination, there is no need for a remedy; if Blacks are being treated fairly yet remain at the bottom of the socioeconomic ladder, only their own inferiority can explain their subordinate position" (Lawrence, 1995, p. 239). The implicit assertion of a court decision in which no individual intent was identified is that no unconstitutional discrimination occurred. This interpretation of the law supports moral disengagement by victim blaming.

In the use of justification, euphemism, and comparison (which concern the behavior itself), and in the use of diffusion and displacement of responsibility (which concern the agency of the actors), it is plausible that actors may act in spite of discriminatory impact. However, where actors dismiss and distort the consequences of their actions, blame victims, and dehumanize students and families, they are more baldly

manipulating their audience. In these cases, it is more plausible that the actors have acted *because of* the supposed culpability of Black students and families and/or due to the subhuman status that white policy actors have projected onto them. In the morally disengaging case for state takeover, the actions and characteristics of Black students and families have warranted a discriminatory response. This is discriminatory intent. Moral disengagement by dismissal, blame, and dehumanization is intent to discriminate.

Limitations of the Study

There are a number of limitations to this study. First, as a critical race study it began with some assumptions about racial dominance that were not the focus of the research questions. These assumptions were not empirically investigated in this study, but are supported by research. Second, my sympathies with some of the arguments put forward by a few of the policy actors likely affected my analysis. I took measures to minimize this. Third, my personal relationships with some of the sampled policy actors also likely affected my analysis, but I was vigilant of this possibility throughout my study. In the next three subsections, I discuss these limitations and my response to each.

Assumptions. As a critical study, this project began with a set of first premises. Some of these are quite universal, and for these the literature base is quite extensive. Others of these are more local. Consumers of critical research should not expect the assumptions of the critical paradigm to be the focus of a critical investigation (Diem & Young, 2015; Fischer, Torgerson, Durnová, & Orsini, 2015; Gulson, Leonardo, & Gillborn, 2013). The focus of a critical investigation, such as the current study, is to observe a setting from a perspective in which the experiences and assumptions of people from marginalized groups are granted, instead of from a perspective in which

majoritarian assumptions are granted. There were five important assumptions I brought to this study:

1. *School choice policies re-segregate school systems* (Buras, 2011; Scott, Lubienski, & DeBray, 2015; Winters, 2012). The net effect of choice policies is white flight from public school districts. Even in situations where more Black students leave the district for charter schools, the proportion of whites is greater, meaning Black enrollment in the public district is more concentrated. Additionally, charters themselves are more segregated. Some charters are nearly 100% Black and Brown, while others have disproportionately high numbers of white students (Logan & Burdick-Will, 2016).
2. *State takeover of school districts disfranchises Black and Brown people* (Morel, 2016; Oluwole & Green, 2009). When majority Black and Brown districts are taken over by the state, and local representative bodies are dissolved, Black and Brown people report greater alienation. This is especially true when state leaders fail to take great measures to seek community input and participation in decision making during the takeover period (Morel, 2016).
3. *The money and support behind charter schools is predominantly white*. Black support for charter schools is waning nationally (Henry & Dixson, 2016). Even the NAACP, a centrist organization politically, has called for a moratorium on charter schools, citing negative effects on Black children and communities (Camera, 2018). In Arkansas, the Walton Family Foundation, Walter E. Hussman, Jr., and the Chamber of Commerce are the leading

proponents of charter schools (Brantley, 2016a). These are powerful groups of pro-charter white people with outsized influence on education policy in Arkansas and in Little Rock.

4. *The statewide electorate of Arkansas is majority white and right-leaning.* The population of Arkansas is 77% white and 15% Black (United States Census Bureau, 2016). With the exception of the elections of 1992 and 1996, when Arkansas's Bill Clinton was on the presidential ballot, Arkansas has voted Republican for president since the 1970s. The state's congressional delegation has been all-Republican since 2010, and both senators have been Republican since 2015. There has never been a Black congressperson or statewide official elected in Arkansas.
5. *The electorate within LRSD is majority Black and left-leaning.* The population of Little Rock is 67% Black and 19% white (Arkansas Department of Education, 2016e). Until the 2010 redistricting in Arkansas, the Little Rock metropolitan area was represented by the only Democrat in Arkansas's delegation to the U.S. House. The city's state representatives and senators are Democrats; three of seven representatives are Black, and two of three senators are Black. The mayor is a white Democrat, and most of the city board of directors are Democrats; three of seven district board members are Black, and three additional at-large board members are white. City boundaries are larger than the LRSD boundaries, which do not include much of the western expansion.

Empirical investigation of the above assumptions was beyond the scope of this study. The conclusions about white supremacy that are implied by the above assumptions arise from the central tenet of CRT: that racism is endemic to American life and a feature of American political ideology. This is supported by research that shows that school choice and takeover laws negatively impact Black communities and positively benefit white communities (Scott et al., 2015; Stovall, 2013; Waitoller et al., 2017). The political and racial differences between the statewide electorate and the Little Rock electorate are important, since (a) approaches to public education differ between conservatives and progressives, and (b) the racial domination that occurs when statewide white majority trumps local self-determination is problematic.

Sympathies with actors. Some of the arguments made by a few actors struck me as reasonable. When this occurred, I included my thoughts in my analytical memos. Some of these impressions stuck with me throughout the study, and others faded as I came across more examples of an individual's discourse. I admit that Baker Kurrus sounded better and better the more I learned from him. He was not a typical reformist. He was race-conscious, though artful at times and clumsy at other times. He seemed to be a plain-spoken pragmatic individual. He was pro-teacher. He was anti-charter. I was baffled at why conservatives liked him so much. I found myself reflexively agreeing with a lot of what Kurrus said, and I was open to the suggestion by a peer reviewer that my whiteness affected my view of Kurrus. Additionally, John Brummett's idea about centralized state control of all schools appealed to me, as a democratic-socialist. I recognize the importance of local control, however, especially when the statewide majority of rural white conservatives would marginalize even large majority Black

districts. Discourse from both Kurrus and Brummett is well represented in my analysis, and I am confident my identification of the moral disengagement strategies they use is rigorous.

Relationships with actors. State board member Jay Barth was a professor and personal mentor of mine at Hendrix College, where I was an undergraduate from 1998 to 2002. I also worked at Little Rock Preparatory Academy (LRPA) as a teacher, and I know Tina Long, who is white and the current superintendent of Exalt Education, the CMO that operates LRPA. This study was bounded by the letter from LRSD board member Leslie Fiskin in early January of 2015, and the firing of LRSD superintendent Baker Kurrus in April of 2016. LRPA started making the news later in 2016 when it applied to the state board for an enrollment expansion and permission to move its location from a predominantly Black and Brown section of town to a predominantly white section of town. Therefore neither the school nor its superintendent appeared in the sampled discourse in this study. Additionally, I am personal friends with Benji Hardy, who covered education for the *Arkansas Times* during the time period of this study. He also advised me at an earlier point in the design of my study, when I was constructing a list of people to interview. Eventually I decided not to use personal interviews. Finally, I have written music reviews for the *Arkansas Times* in the past, and I know Lindsey Millar, the current editor, though we are not in close contact anymore. Two of my peer debriefers knew of these connections and were instructed to consider them in their feedback. Neither reported any issues in my analysis related to these relationships.

Transferability. The transferability of my conclusions is limited by both the context of this study and the types of individuals I sampled. Moral disengagement may

exist at the level of policy elites, but it must also be studied amongst other discourse groups. Bandura (2016) says moral disengagement in a social system is not a collection of individual choices, but a group characteristic comprised of “interactive, coordinative, synergistic group dynamics” (p. 100). So while additional study is required to generalize these findings for others in Little Rock, it is very likely that similar policies in other similar contexts will also be built around a similar framework of morally disengaging politics.

Implications

There are important implications of these findings for policymakers, education leaders, and education researchers. If discursive evidence of moral disengagement is evidence of discriminatory purpose—and I believe it is—then education policies that rely on such rationalization warrant strict scrutiny by voters as well as the justice system. Moral disengagement is potentially a mechanism through which unconscious racism is converted into public policy, and this should be a concern for policymakers, education leaders, and education researchers. The conceptual framework of discourse, ideology, and policy in which I situated this study shows how individual biases and beliefs are communicated and instantiated in public policy, such as state takeover and charter school authorization, and law.

Discourse both reveals and influences the mental models people use to make meaning of their environments (van Dijk, 2016). In this case, the discourse was rife with examples of moral disengagement mechanisms—not just some, but all eight mechanisms, as well as each of their sub-mechanisms. This preponderance, combined with the District Court’s appeals to precedent from the case history upon which Lawrence based the

theory of unconscious racism, strongly suggests an underlying structure to the coappearance of both moral disengagement and unconscious racism in this policy arena. At the very least, policy actors and the consumers of political rhetoric in an arena where usage of the mechanisms of moral disengagement is as common as it was in the takeover of LRSD are likely *highly* aware of the discriminatory effects of their policies. In the following section, I discuss important next steps for policymakers, education leaders, and education researchers.

For policy. There is a substantial body of research showing that state takeover of urban schools districts and school choice policies have disproportionately negative impacts on communities of color. Previously, the discourse leading to the adoption of these policies has appeared to situate takeover and school choice within a social justice agenda for education (Bertrand et al., 2015; Hernández, 2016). However, a closer analysis of the same discourse will likely reveal, as it has in the case of Little Rock, widespread deployment of moral disengagement strategies by policy actors in support of such reforms. It follows that, if education reforms must be accompanied by moral disengagement mechanisms that rationalize their expected discriminatory outcomes, this should be identified by reform (i.e., takeover and choice) opponents, taken into account by the voting public, and defended by reform proponents. If adoption of a policy requires moral disengagement, should it be adopted in the first place?

The difference between aversive racism and the kind of unconscious racism that Lawrence has theorized is that aversive racism may explain decision-making behaviors of individuals, it does not explain how they convey and cultivate their system of justifications (i.e., their ideology) to others. For elite policy actors, this is an important

element for two reasons: (1) They have the ear of the general public, whose social values develop in interaction with public political discourse (Ferrare, 2014; Liu, Lindquist, Vedlitz, & Vincent, 2010; van Dijk, 1995b); and (2) If discriminatory intent is to be found, even implicitly, it will be found in the discourse of public policy actors. The public, including parents and students, but most importantly district- and school-level policy actors, must be attentive to policy rhetoric for the ways in which policy actors may be promoting self-exoneration for expected discriminatory effects of their policies. Consumption of political discourse requires looking beyond the face-value meanings of policy actors' rhetoric, toward discernment of the actual outcomes policy actors are anticipating with their discourse.

For education leaders. We have to understand unconscious motivation in order to resist the “seductive ideology” (Lawrence, 1995a, p. 238) of something like moral disengagement. Education leaders must be vigilant consumers of political rhetoric, cultural assumptions, and racial attitudes. Accepting the idea of unconscious racism as a cultural value means acknowledging collective responsibility for its effects. The notion of collective responsibility may sound itself like diffusion of responsibility, but it is not. Lawrence (1995a) directly addresses such an interpretation:

Understanding the cultural source of our racism obviates the need for fault, as traditionally conceived, without denying our collective responsibility for racism's eradication. We cannot be individually blamed for unconsciously harboring attitudes that are inescapable in a culture permeated with racism.... Without the necessity for blame, our resistance to accepting the need and responsibility for remedy will be lessened. Understanding unconscious motivation will also help us

comprehend and combat the hegemony of the ideology of equal opportunity. (p. 239)

Therefore, any notion of unconscious racism equipped to dismantle the legal and political institutions that protect white supremacy must not abdicate individual responsibility for collective racism. Behaviorist notions of racism built on concepts like implicit bias and aversive racism do not provide for agency, instead describing racism as a behavioral response acquired during childhood based on associations within the subconscious.

Moral disengagement, on the other hand, is an agentic conception of human morality and behavior, even in social systems:

People are contributors to their activities, not merely onlooking hosts of subpersonal networks autonomously creating and regulating their performances. People conceive of ends and work purposefully to achieve them. They are agents of experiences, not just passive undergoers of experiences. In their transactions with the environment, as mindful agents they are generative, creative, proactive, and reflective, not simply reactive to external input. (Bandura, 2016, p. 42-3)

Moral disengagement from racist activity is a component of racist ideology. It is how beliefs are converted into material reality. For education leaders, then, it is a call to understand that process and the rhetoric that catalyzes it. Lawrence (1995b) says we have to “cease denying the reality of racism” (p. 18), echoing Chief Justice Blackmun’s race-conscious exhortation that, in order to move beyond racism we must first acknowledge race (Schraub, 2016) and contradicting Chief Justice Roberts’s colorblind assertion that “the way to stop discrimination on the basis of race is to stop discriminating on the basis of race” (p. 600). Education leaders must be advocates of race-conscious education

reforms that benefit Black and Brown students and communities, not of blanket reforms that apply one-size-fits-all logic to specialized problems.

For research. Researchers must begin connecting the discriminatory effects of education reforms and policies with the ideological rhetoric that preceded their adoption, in order to establish a theory of action that connects the morally disengaging rhetoric in the inputs and processes of policymaking with the discriminatory outcomes of those policies. Historian and critical race scholar Marie Matsuda (2008) said, “If American innocence is about truth deflection, then its opposite is truth itself. Accepting the truth of our racism is not a call to self-flagellating guilt, but a call to action” (p. 1042). That action is research.

Further investigation of moral disengagement and unconscious racism should include quantitative research on the moral disengagement of specific policy actors and of a random sample of the general population within a policy arena. Since moral disengagement is not a general characteristic, measures must be “tailored to specific activity domains” (Bandura, 2016, p. 26). This would require the construction and validation of instruments specific to top-down imposition of market-based education reforms (i.e., state takeover).

I recommend additional qualitative study of moral disengagement by actor affiliation: How does the discourse of Republican appointees and Democratic appointees differ? How does discourse differ between takeover/reform proponents and opponents? A more detailed study could be undertaken specifically of the *Democrat-Gazette* Editor’s discourse on education and race. It was the least nuanced and most overtly racist of any sampled discourse in this study, and besides this, also seemed to talk down to its audience

(i.e., writing at times in some kind of Ozark white dialect) and assert an identifiably Arkansas identity that is race-specific. Interviews with a range of policy actors, both elite and non-elite, would be useful to discern the discursive structure or moral disengagement in the context of Little Rock and the takeover. A theory of action that locates discriminatory intent within a morally disengaging ideology should identify not only the breadth of such discourse across a range of actors, but also the depths to which moral disengagement mechanisms permeate the political motivations of education reformists and their supporters.

Conclusion

It is important to note that what the theory of moral disengagement itself receives from this study is critical race-conscious directionality. There is a universal morality implied by Bandura's theory in which violence is seen as morally wrong. However, critical researchers conceive of violence as a much broader and more nuanced phenomenon than just murder or war. State violence can be physical, but it need not be only physical (Toshalis, 2010, 2012). In his writings on moral disengagement, Bandura (2016) not only fails to consider racism as a troublesome "true believer" ideology, but he also uses the example of civil rights protesters as a group analogous to Islamist terrorists who justified extreme civil disobedience and revolutionary violence (p. 51). This is quite problematic, especially since this perspective seems to accept the asserted perspective of "those in power" (p. 51), whom he criticizes for construing events in such a way that their own power is preserved. In this illustration, Bandura presents the victims of oppression defending themselves against state violence as instigators of immoral violence, themselves. This is victim blaming, one of Bandura's own mechanisms of moral

disengagement and possibly an indication of the degree to which he perceives racism as something other than a moral disengagement phenomenon. The current study corrects this notion.

What this argument contributes to studies of education reform narratives is more than a descriptive analysis of deficit mindset, stereotyping, and in-group favoritism. It proposes a theory of the resilience of white supremacist ideology. Selmi (2018) argues that the devotion of antiracist legal scholars to implicit bias as a critique of the intent requirement has instead bolstered it. Implicit bias studies are, themselves, moral disengagement. Implicit bias is diffusion of responsibility among the cultural and evolutionary forces that have shaped human behavior, and displacement of responsibility onto the reptilian brain, itself somehow a separate actor beyond our control. Previous studies of both moral disengagement and unconscious racism have not yielded the kind of insights into the persistence of white supremacy in education policy that direct connection between the frameworks of moral disengagement and unconscious racism enables. Almost no studies of either framework have been conducted in the context of education policy. This study provides a framework for the analysis of education policy discourse that is more than descriptive; it has the potential to be explanatory of the popularity of racist education policies and reforms amongst a supposedly post-racist, social justice-minded culture.

Finally, from a critical race perspective, the requirement that intent be “because of” and not just “in spite of” is practically insurmountable, as Lawrence (1995a) identified three decades ago. Notwithstanding the impossibly rigorous intent standard, the extent to which moral disengagement is used in the case of the takeover of LRSD should

meet the plausibility standard needed to at least move a discrimination suit to discovery and trial. Lawrence called for more rigorous legal standards that accounted for the results of scientific studies of unconscious racism. Some legal scholars (Aberson & Ettlín, 2004; Mentovich & Jost, 2008) have claimed that work on implicit bias and aversive racism has answered Lawrence's call. I reject that idea. Ideology is not measurable through studies of reflex.

By positing the effects of racism as the proof of racism, and by explaining the role of the collective, unconscious practices in producing these effects, [Lawrence] stole our innocence. The reason his theory, though influential, has not become Constitutional doctrine, is that its full implications would require us to become a nation of open-eyed justice seekers. (Matsuda, 2008, p. 1040)

In Little Rock, elite white policy actors undertook a dissolution of the locally elected and majority Black school board in a majority Black district with an internationally notorious reputation for racial inequity. To justify this action, they claimed the city's survival demanded it. They claimed economic growth would elude the city unless takeover occurred. They deployed a range of creative language and comparisons to disguise the severity of the takeover and the potential disadvantages it would unleash on Black students and families. As they acted, they shifted responsibility for the takeover onto state law, legislatures, courts, bureaucrats, and their predecessors. This misrepresented the consequences of their decision and denied its discriminatory impact. To the extent that they acknowledged the negative effects of their actions, they blamed Black teachers, leaders, students, and families for those effects.

Education is nothing if not moral engagement with students (Noddings, 2010). Bandura's (2016) theory suggests that these rationalizations and justifications would not have been necessary had the policy actors who utilized them not already understood their actions to be discriminatory. Educators, parents, students, and citizens should be concerned when policy actors think public approval of an education policy will demand less moral engagement, not more.

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Appendix: Policy Actors Sampled

Journalists	Brantley, Max Brummett, John Editor (anonymous) Hardy, Benjamin	<i>Arkansas Times</i> editor <i>Arkansas Democrat-Gazette</i> columnist <i>Arkansas Democrat-Gazette</i> editorial page <i>Arkansas Times</i> journalist, blogger
Politicians	Adams, Gary Cozart, Bruce Dotson, Jim Fisken, Leslie Hutchinson, Asa Ross, Jim Rutledge, Leslie Stodola, Mark	LRSD board president State representative (Republican) State representative (Republican) LRSD board member Governor LRSD board member Attorney general (Republican) Little Rock mayor
Educators	Bacon, John Jensen, Eric Ritter, John	Charter school CEO (eStem) UA, Fayetteville, professor UA, Fayetteville, professor
Bureaucrats	Barth, Jay Chambers, Susan Key, Johnny Kurrus, Baker Ledbetter, Sam Pfeffer, Ivy Poore, Michael Saviers, Vicki Saunders, Eric Smith, Scott Wilde, Richard Wood, Tony Zook, Diane	State Board of Education member State Board of Education member Commissioner of Education (Hutchinson appointee) LRSD superintendent State Board of Education chair Charter Authorizing Panel member LRSD superintendent (Kurrus successor) State Board of Education member Charter Authorizing Panel member Charter Authorizing Panel member Department of Education Commissioner of Education (predecessor to Key) State Board of Education member
Advocates	Hussman, Walter Johnson, Marla Key, Barclay Koehler, Cathy Kopsky, Bill McDonald, Hugh Nelson, Rex Newton, Gary Riggs, John Smith, Gary Tilbury, Van	<i>Democrat-Gazette</i> publisher, philanthropist Business leader Education advocate, organizer Little Rock Education Association president Education advocate, organizer Business leader Republican political strategist Walton Family Foundation, Arkansas Learns Former LRSD board member; business leader Business leader Business leader

Vita

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Davis was a teacher of middle school English and History at Little Rock Preparatory Academy in Little Rock, Arkansas, from 2010 to 2013; editor of the *William & Mary Educational Review* from 2015 to 2017; and a Clark Scholar in Division A of the American Educational Research Association.